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HISTORY 13.

OUTLINE

OF THE COURSE IN

Constitutional and Political History

OF THE UNITED STATES.

(1789-1861.)

GIVEN AT HARVARD COLLEGE, IN THE ACADEMIC YEAR,  
1885-86.

266  
555

A. M. Hart



BOSTON:

PRINTED FOR THE CLASS.

FRANK WOOD.

copy





*The outline is meant to serve a double purpose: during the lecture, it may be used as an analysis of what is being said; after the lecture, it is intended to be a guide to the authorities on the topic just discussed. Students will be held responsible for one of the references in each group marked by an asterisk; and they cannot expect to master the subject without following out a part, at least, of the remaining, more detailed, references. All the books referred to will be found reserved in alcove No. 9, in the College Library; and duplicate copies of the works most frequently cited will be provided. Students are advised to own one of the following sets:—*

Von Holst's Constitutional History of the United States, 5 Vols.

American Statesmen, 14 Vols.

Schouler's History of the United States, 3 Vols.

Hildreth's History of the United States, Second Series, 3 Vols.

Greeley's American Conflict, Vol. I.

*The only required text-book is, —*

Johnston's American Politics.

ALBERT BUSHNELL HART,

*Instructor.*



## I. METHODS OF HISTORICAL STUDY.

- I. **Suggestions as to systematic study.**
- II. **Suggestions as to note-taking.**
- III. **Suggestions as to the use of authorities.**
- IV. **Suggestions as to the use of maps.**
- V. **Advice as to selection and order of historical courses.**
- VI. **Methods to be pursued in this course.**

1. Lectures.
2. Parallel readings: reserved books.
3. Printed "Outline."
4. Maps and charts.
5. Special "reports" of students.
6. Questions to be asked of the instructor.
7. Examinations.

## VII. **Books to buy and books desirable to own.**

## VIII. **General sketch of the course.**

### A. FIRST HALF-YEAR (1789-1828).

- |            |  |
|------------|--|
| 1765-1789. | 1. Preliminary lectures on the causes leading to the Constitution.             |
| 1789-1793. | 2. Organization of the government.   |
| 1793-1800. | 3. Division into parties.  |
| 1801-1816. | 4. National consolidation.   |
| 1816-1828. | 5. Growth of great political issues.<br>Chief political factors of the period. |

### B. SECOND HALF-YEAR (1829-1861).

- |            |  |
|------------|--|
| 1829-1836. | 6. Appearance of a new political system.                                   |
| 1836-1847. | 7. Ground cleared for the slavery contest.                                 |
| 1847-1851. | 8. Postponement of the slavery conflict.                                   |
| 1852-1861. | 9. "The irrepressible conflict."<br>Chief political factors of the period. |

## IX. **Exercise:** Outline of the course: *Read the whole of Johnston's American Politics.*





## II. AUTHORITIES.

### I. **Kinds and value of authorities:** *C. K. Adams' Manual of Hist. Lit.; Hall's Methods of Teaching and Studying History.*

1. Personal reminiscences.
2. Records.
3. Unconscious authorities.
4. Formal histories.
5. Biographies.
6. Constitutional treatises.
7. Periodicals.
8. Compilations.
9. Maps.
10. The abundance of material for the history of the United States.

### II. **Geographical authorities.**

1. Travels.
2. Special maps.
3. Atlases.
4. Census publications.
4. Formal works.

### III. **Compilations.**

1. School histories.
2. Manuals.
3. Compendiums.

### IV. **Formal histories.**

#### A. GENERAL WORKS.

- |            |  |
|------------|--|
| To 1783.   | 1. Period of Colonial and Revolutionary history. |
| 1783-1789. | 2. Period of formation of the Constitution.      |
| 1789-1828. | 3. Period of consolidation of the government.    |
| 1829-1861. | 4. Period of the slavery struggle.               |

#### B. LOCAL HISTORIES.

1. Of sections.
2. Of States.
3. Of minor divisions and cities.





C. SPECIAL HISTORIES.

1. Military.
2. Financial.
3. Political.
4. Literary.
5. Monographs.

V. **Biographies.**

1. Period 1789–1828.
2. Period 1829–1861.

VI. **Constitutional treatises.**

1. Commentaries on the Constitution.
2. Criticisms by Americans.
3. Criticisms by foreigners.

VII. **Periodicals.**

1. Newspapers.
2. Magazines.
3. Publications of societies.

VIII. **Unconscious authorities.**

1. Travels.
2. General literature.

IX. **Official records and publications.**

A. JOURNALS OF CONGRESS.

1789–1885. House Journals and Senate Journals.

B. OFFICIAL REPORTS OF THE DEBATES IN CONGRESS.

1789–1823. *a.* Annals of Congress.

1824–1837. *b.* Congressional Debates.

1833–1873. *c.* Congressional Globe.

1873– *d.* Congressional Record.

1789–1850. *e.* Benton's Abridgment, 16 Vols.

C. DOCUMENTS.

1786–1815. 1. American State Papers (octavo).

1789–1815. 2. American State Papers (quarto).

1815–1885. 3. "Public Documents;" quoted by sessions of Cong.

*a.* "Executive Documents" (Senate and House).

*b.* "Reports" (Senate and House).

*c.* "Miscellaneous" (Senate and House).

*d.* "Documents."



1789-1885. 4. Departmental publications and reports.

1790-1880. 5. Census publications.

D. LEGAL ORIGINAL AUTHORITIES.

1789- 1. Statutes at Large.

1790- 2. Official Reports of Decisions.

1778- 3. "Treaties and Conventions."

E. STATE RECORDS AND PUBLICATIONS.

X. **Personal reminiscences.**

1. Letters.

2. Works of statesmen.

3. Memoirs and autobiographies.

XI. **Exercise** in the use of authorities: *Who were the senators from Massachusetts in 1816, and how did they vote on the tariff?*

### III. PRELIMINARY CONCEPTIONS.

I. **What is History?**

A. BASIS OF INVESTIGATION.

1. Theory of natural science: *Buckle's Hist. of Civilisation.*

2. Theory of study of the individual.

B. FORM OF PRESENTATION.

1. Annals.

2. Biographies.

3. Special histories.

4. General histories.

C. POINT OF VIEW.

1. Military.

2. Political.

3. Social.

4. Institutions.

*a.* An involuntary expression of national character.

*b.* Bearing on the most important phases of human life.

*c.* Importance in the discovery of causes.

*d.* Reflex influence on history.





## D. USE OF HISTORY.

1. Experience of national development.
2. Acquaintance with human nature.
3. Moral training.

## E. INTEREST OF AMERICAN HISTORY.

II. **What is a Constitution?**

## A. DEFINITIONS.

## B. OBJECTIVE FORM.

1. Absolute monarchy.
  2. Aristocracy.
  3. Limited monarchy.
  4. Representative democracy.
  5. Pure democracy.
- Properly, but two varieties.

## C. UNWRITTEN.

Origin.

Objections to.

Alterations in.

D. WRITTEN : *Fameson's Const. Conv.*, 75 – 82.

1. *Origin.*
2. *Inadequacy.*
  - a. Want of detail.
  - b. General principles.
3. *Interpretation.*
  - Organs.
  - Principles.
4. *Essential conditions.*
  - a. Harmony with existing institutions.
  - b. Support of public sentiment.
  - c. Completion by positive legislation.
  - d. Proper administration.
  - e. Facility of amendment
5. *Application of history.*
  - a. Previous institutions.
  - b. Parallel institutions.
  - c. Subsequent history.





E. INTEREST OF THE CONSTITUTION OF THE UNITED STATES.

Development of English institutions.

Influence on federation.

Influence on republicanism.

Influence on the history of the United States.

III. **What is Politics?**

German conception.

American conception.

Relations of parties to history.

IV. **What is or are the United States?**

A. WHAT IS A STATE? SIX ELEMENTS OF CONCEPT.

1. The people.

2. Territory.

3. Organism.

4. Direction.

5. Constitution.

6. Purpose.

B. DOES THE UNITED STATES FULFILL THESE CONDITIONS?

C. WHAT IS A FEDERAL STATE?

1. Question of sovereignty.

2. Question of "popular sovereignty."

3. Question of double sovereignty.

V. **Fundamental principles of American constitutional history.**

1. Connection with the world's history.

2. Teutonic origin.

3. Growth of the Constitution.

4. Centralization of institutions.

5. Centralization in federal government.

6. Relation of parties to government.

7. Effect of sectional parties.

8. Continuity of our history.



## IV. BASIS OF THE UNION.

I. **The Federal building as we find it.**

1. The site — territory.
2. The builders — “the people.”
3. Materials — institutions.
4. The plan — the Constitution.
5. The agent — a personified head.
6. The purpose — government.

II. **The land:** *Frothingham, Rise of the Republic*, 1 – 5.

1. In 1620: the wilderness and its inhabitants. *Map*.
2. In 1765: the British Colonies. *Map*.
3. Who owned the land? *Story's Commentaries*, §§ 1 – 38.

III. **The people:** *Lodge's English Colonies in America*, ch. II., ch. XVIII.; *McMaster, History of the People of the United States*, I., ch. I.

1. The race: sturdiness of the Anglo-Saxons.
2. Immigration: causes and distribution.
3. Population: increase and settlement. *Diagram*.

IV. **Free Institutions:** *Frothingham*, 11 – 32; *Bancroft*, II. ch. XVII.

1. Rights of Englishmen: *Story*, §§ 146 – 58.
2. English representative institutions.
3. Principle of self-government: *Porter, Outlines of the Constitutional History of the United States*, 1 – 36.
4. Special Colonial institutions: *Story's Commentaries*, §§ 159 – 67.
  - a. “Provincial governments.”
  - b. “Proprietary governments.”
  - c. “Charter governments.”
5. Control by the home government: *Lecky, History of the Eighteenth Century*, II. 2, III. 272, 299; *Bancroft*, III. 1 – 12, 100 – 108; *Story*, §§ 183 – 97.



## V. COLONIAL UNION (1754-1781).

I. **Attempts to form Colonial Unions:** *Porter*, 36-37.

1643. "The United Colonies of New England": *Lodge*, 351-58.

1669-1752. Various English and American plans: *Frothingham*, 111-16.

1754. Congress of Albany—Franklin's scheme: *Frothingham*, 132-40.

1765. Informal union in the Stamp-Act Congress: *Frothingham*, 177-89.

Why union was difficult.

II.\* **Union accomplished:** *Von Holst, History of the United States*, I. 1-20.

A. THE WAY PREPARED: *Frothingham*, 266-86, 320-39; *Lodge*, 476-91.

1. Why union was possible.

2. Effect of the Stamp-Act Congress.

3. 1772-73. Committees of Correspondence.

4. 1774. First Continental Congress, union still voluntary: *Journals of Congress*, I. 3-67.

B. 1775-81. A GENERAL GOVERNMENT IN THE SECOND CONTINENTAL CONGRESS: *Lodge*, 498-500, 510-21; *Frothingham*, 466-90.

"The form of the structure."

1. What was Congress? *Story*, § 201; *Frothingham*, 420.

2. What was Congress authorized to do? *Journals of Congress*, I. 73-98.

3. What did Congress do? *Story*, §§ 202-05, 214-17; *Diagram*.

Conduct of the war—Foreign affairs: *Hildreth's United States*, III. 76-98.

General governing powers. Direction of the States.

4. What Congress could not do.





## VI. INDEPENDENCE (1775-1776).

**I.\* Independence accomplished:** *Von Holst*, I. 20-35; *Hildreth*, III. 124-39.

A. THE WAY PREPARED: *Frothingham*, 496-539; *Bancroft*, VIII. 384-93, 434-62.

Early predictions and suggestions.

Loyalty at the beginning of the Revolution.

1775. May 31. Mecklenburg resolutions.

Nov. 3. N. H. advised to form a government.

1776. March-June. Instructions of the States.

May 15. Congress votes for independence.

B. THE DECLARATION OF INDEPENDENCE: *Frothingham*, 539-60; *Morse's Life of Jefferson*, 26-40.

1. Who made it? *Jefferson*, I. 9-26.

2. By what authority? *Story*, §§ 205-13.

3. Its influence.

4. Its nature and bearing: *Bancroft*, VIII. 462-75.

5. Who was made "independent": *Story*, § 213.

## II. The States.

A. WHAT IS A STATE? *Story*, §§ 207-209.

B. BIRTH OF THE STATES: *Hildreth*, III. 374-95; *Curtis, History of the Constitution of the United States*, I. 37, 116-20.

1775. Colonies left without government.

1775-76. Advice of Congress: *Frothingham*, 443-44, 447-51.

1776-77. Adoption of State constitutions: *Frothingham*, 491-96, 506, 563-68.

**III.\* Is the Union older than the States?** *Von Holst*, I. 7-11; *Story*, §§ 210-13; *Curtis*, I. 37-40, 122.

\* State rights view. *Calhoun's Works*, I. 190.

\* Temporary purpose view: *Jefferson in Von Holst*, I. 7 n.

\* National view: *Lincoln's Message*, July 4, 1861.



## VII. IMPERFECT UNION (1774.-1787).

- I. **The Confederation:** *Von Holst*, I. 20-46; *Story*, §§ 218-42.
  - A. ARTICLES OF CONFEDERATION. "The plan of the structure": *Hildreth*, III. 395-410.
    - 1775-77. Suggestions and drafts: *Curtis*, I. 104, 124-40.
    1777. Nov. 15. Congress adopts the Articles: *Frothingham*, 569-79.
    - 1777-81. Territorial disputes: *H. B. Adams in Maryland Historical Society Publications*; *Curtis*, I. 131-40; *Map*.
    1781. March 1. The Confederation in effect. *Map*.  
Powers granted.—Powers withheld: *Curtis*, I. 140-49.
  - B. DEFECTS OF THE CONFEDERATION: *Story*, § 265.
    1. In form.
    2. In powers granted.
    3. In means of carrying out its powers.
    4. Weakness and timidity.
  - C. VIOLATIONS OF THE ARTICLES OF CONFEDERATION: *Elliot's Debates*, v. 207-208.
    1. The States do not perform their duties. *Diagrams*.
    2. Congress oversteps its powers: *The Federalist*, No. 39.
    3. The States quarrel with each other: *McMaster*, I. 210.
- II.\* **Union of States in a Confederation a failure:** *McMaster*, I. ch. III.; *Schouler, History of the United States*, I. 19-34; *Story*, §§ 243-71; *Webster's Works*, III. 454.
  1. Debts unpaid; Newburg Addresses: *Bancroft, History of the Constitution of the United States*, I. 76-101; *Curtis*, I. 155-74.
  2. Commerce unprotected: *Curtis*, I. 276-90.
  3. Treaty unfulfilled: *Curtis*, I. 249-59.
  4. State governments oppressive: *Bancroft, Constitution*, I. 228-41.
  5. The people rebellious: *McMaster*, I. 294-354.
  6. Western territory ungoverned: *Curtis*, I. 291-308.
  7. Threatened withdrawal of the West: *Curtis*, I. 309-27.  
The plan must be altered or the building abandoned.





## VIII. THE FEDERAL CONVENTION (1781-1787).

### I. **Attempt to improve the Articles of Confederation:** *Curtis*, I. 328-79.

#### A. BY GRANTING PARTICULAR POWERS.

1781. Five per cent scheme: *Bancroft, Constitution*, I. 34-45.

1783. Revenue scheme: *Curtis*, I. 233-48.

1784. Commercial scheme: *Curtis*, I. 276-90; *Bancroft, Constitution*, I. 184-209.

1787. North-west Ordinance.

#### B. BY GRANTING POWERS OF ENFORCEMENT.

#### C. BY ALTERING THE FORM OF THE GOVERNMENT.

1. To a monarchy. (Morris.)

2. To a centralized government.

3. To a closer federal government: *Bancroft, Constitution*, I. 146-67.

### II.\* **The Philadelphia Convention:** *Von Holst*, I. 47-53; *Frothingham*, 589-97; *Hildreth*, III. 482-526; *Bancroft, Constitution*, II. 3-222, *Curtis, Constitution*, II. 3-487; *McMaster*, I. 438-53.

#### A. THE CALL.

1780-86. Early suggestions: *Bancroft, Constitution*, I. 11-76.

1786. Annapolis Convention.

1787. Feb. 20. Formal call by Congress.

#### B. DIFFICULTIES OF THE CONVENTION.

Members.

Credentials.

Parties.

#### C. COMPROMISES.

\*1. Representation of States: *Bancroft, Constitution*, II. 47-67, 88; *Von Holst* I. 61-62.

\*2. Representation of slaves: *Bancroft, Constitution*, II. 68-88, 128-32; *Von Holst*, I. 189-90, 293-96.

3. Slave Trade: *Bancroft, Constitution*, II. 151-60; *Von Holst*, I. 296-98.



D.\* PRODUCT. "The New Roof." *Von Holst*, I. 64-79; *Frothingham*, 597-610.

- a. A "government" established: in practical form.
- b. A government with power over individuals.
- c. A government with power to protect itself.
- d. A government which could govern.

## IX. ACCEPTANCE OF THE CONSTITUTION (1787-1789).

### I. Ratification.

A. HISTORY OF: *McMaster*, I. 454-501; *Curtis*, II. 491-604; *Bancroft, Constitution*, II. 225-350.

1787. Sept. 17. Reported by the Convention. *Elliot*, I. 305.

Sept. 28. Transmitted by the Congress. *El.* I. 319.

Dec. 9. 1. Delaware.

Dec. 12. 2. Pennsylvania.

Dec. 18. 3. New Jersey.

1788. Jan. 2. 4. Georgia.

Jan. 9. 5. Connecticut.

Feb. 7. 6. Massachusetts.

Apr. 26. 7. Maryland.

May 23. 8. North Carolina.

June 21. 9. New Hampshire. The Constitution assured.

June 26. 10. Virginia.

July 26. 11. New York.

1789. Nov. 21. 12. North Carolina.

1790. May 29. 13. Rhode Island.

B. FORM: *Elliot*, 319-335.

1. By whom ratified?

2. In whose name?

3. In what terms?

4. Conditions attached.

### II\* Who made the Constitution? Theories.

1.\* "The States." Hayne in *Elliot* IV. 510.

2.\* "The people in independent communities." Calhoun in *Calh.* VI. 151-52.



- 3.\* "The people in each of the States." Madison in *N. A. Rev.* xxxi. 538; *Fed. No.* 38, p. 262.
- 4.\* "The People of the United States." Webster in *Elliot* iv. 499-510; *Story* §§ 362, 463.

### III. **What is the Constitution?**

1. Is it a contract? *Story*, § 349.
2. Is it a treaty or convention? *Story*, § 321.
3. Is it a league? *Story*, §§ 352-3.
4. Is it a compact?
  - a. To which the people are parties? *Story*, §§ 365-6.
  - b. To which the U. S. is a party? *Story*, §§ 367-8.
  - c. To which the States are parties?

Asserted. *EL.*, vi. 522, 540, 545, 548; Hayne, *EL.*, iv. 509.

Denied. Webster, *Bent's Abr.*, xii. 103; *Story*, § 369.
5. Is it a "Constitution of government?" *Kent*, i. 201.

## X. UNITED STATES IN 1789—GEOGRAPHY.

### I. **Connection of geography with history.**

1. Association.
2. Influence on development.
3. Mark of development.

### II. **Physical characteristics of North America:** *Ratzel, Vereinigte Staaten*, II. ch. I.

1. General shape.
2. Area.
3. Great basins and elevation.
4. Coast line.
5. Mountains.
6. Rivers and lakes.
7. Climate.
8. Natural resources.





### III. **Influence of the physical characteristics on political history.**

1. Compactness. .
2. Great extent.
3. The interior.
4. Sea fronts.
5. Mountain systems.
6. River system.
7. Climate.
8. Internal resources.

### IV. **Political divisions.**

1. Exterior boundaries.
2. Interior boundaries.
3. Peculiarities of the map.
4. Influence of arbitrary boundaries.
5. Foundation of European claims.
6. Partition of European claims.
7. Colonial claims.

### V. **Jurisdiction before the Revolution:** *Blunt's Historical Sketch ; H. B. Adams, in Md. Hist. Fund Pub., No. 11.*

#### 1. FOUNDATION OF EUROPEAN CLAIMS.

- a.* Papal grants.
- b.* Prior discovery.
- c.* Occupation.
- d.* Settlement.
- e.* Purchase from Indians.

#### 2. PARTITION OF CLAIMS IN NORTH AMERICA.

1. Spanish.
2. English: *Blunt*, 14 – 39; *Adams*, 8 – 11, 24 – 26.
3. French: *Blunt*, 36 – 43.
4. Colonial: *Blunt*, 43 – 53; *Adams*, 12 – 17, 22.

### VI. **Question of national jurisdiction.**

1. INDIAN AFFAIRS assumed by Congress: *Lect. IV ; Blunt*, 62 – 68.
2. ARTICLES OF CONFEDERATION: Land question.  
1776. Claims of Virginia and North Carolina in their Constitutions: *Blunt*, 68 – 69.



1777. Oct. 15. Maryland proposition for national jurisdiction:  
*Adams*, 27.
- Nov. 15. Articles as adopted recognize State jurisdiction.
3. DELAY IN RATIFICATION of the Confed.: *Lect.* VI; *Adams*, 28 – 50.
4. SETTLEMENT OF THE NORTHWESTERN QUESTION: *Blunt*, 73 – 85.
1781. Mar. 1. 1. New York deed of cession.
1784. Mar. 1. 2. Virginia modified deed of cession.  
 Apr. 29. Recommendations of Congress.
1785. Apr. 19. 3. Massachusetts deed of cession.
1786. Apr. 13. 4. Connecticut deed of cession.
1787. Northwest Ordinance.
1800. Conn. cession of the Western Reserve.
5. SETTLEMENT OF THE SOUTHWESTERN QUESTION: *Blunt*, 85 – 108.
- 1782 – 84. Question of the Spanish boundary.
1783. Feb. 17. Georgia act claiming to the Mississippi.  
 Old Colonial boundary.  
 West Florida and Yazoo question.
1785. South Carolina; Tugaloo cession.
1787. Aug. 19. 5. South Carolina; Western cession.  
 Aug.–Oct. Congress urges cession from Ga. and N. C.
1790. Feb. 25. 6. North Carolina deed of cession.
1788. Georgia cession; refused by Congress.
- 1795 – 96. Treaties with Spain and the Indians.
1795. Yazoo grants by the Georgia legislature.
1798. Georgia Constitution, asserting limits.
- Apr. 7. U. S. act establishing the Mississippi Ter.
1802. 7. Georgia cession and compromise.

## XI. UNITED STATES IN 1789 — THE PEOPLE.

### I. Races.

1. English race.
  2. Non-English white elements: *Ratzel*, *Ver. Staat.*, II. Ch IV.
  3. Indians: *Ratzel*, *Ver. Staat.*, II. ch. III.
  4. Africans: *Ratzel*, *Ver. Staat.*, II. ch. VI.
- Separation of races





II. **Characteristics of the Americans.** *Ratzel, Vereinigte Staaten*, II. *ch.* XVI.

1. Temperament.
2. Virtues.
3. Faults.
4. Religious sentiment.
5. Intellectual activity: *Ratzel, Ver. Staat.*, II. *ch.* XV.

III. **Population and distribution.** *U. S. Census; Diagram; Map.*

A. GROWTH. *Ratzel, Ver. Staat.*, II. *ch.* V.

1. Colonial.
  2. In 1789.
  3. Subsequent.
- Effect of immigration. *Ratzel, Ver. Staat.*, II. *ch.* IV.

B. THE SECTIONS.

1. New England.
2. Middle States.
3. South.
4. West.

Relative rank of States: *Diagram.*

IV. **Social condition.** *Lodge's Colonies (1765); McMaster's U. S.*,

I. 1 – 100 (1784); *Schouler*, I. 221 – 41.

A. CLASSES OF SOCIETY.

1. "The well-born."
2. The middle classes.
3. Farmers.
4. Mechanics and laborers.
5. Slaves.

B. SOCIAL LIFE.

Relations of classes.

The country.

The cities: *McMaster*, II. 538 – 53.

The West: *McMaster*, II. 568 – 82.

C. EDUCATION.

1. Schools: *Ratzel, Ver. Staat.*, II. *ch.* XV.
2. Books.



3. Newspapers.
4. Public meetings.
5. Amusements.
6. Churches : *Ratzel, Ver. Staat.*, II. ch. XIV. ; *McMaster*, II. 555 – 68.

D. SOCIAL DANGERS.

V. **Economic condition:** *Prof. Dunbar's Lectures on Economic History* ; *Winterbotham*, I. 264 – 70, 293 – 95, 325.

A. NATIONAL PURSUITS.

1. Agriculture : *Ratzel, Ver. Staat.*, II. ch. VII.
2. Commerce : *Ratzel, Ver. Staat.*, II. ch. XII.
3. Manufactures : *Ratzel, Ver. Staat.*, II. ch. X. ; *Taussig, Protection to Young Industries*, 14 – 17.

B. NATIONAL WEALTH.

1. Natural resources : *Ratzel, Ver. Staat.*, II. ch. VII. – IX.
2. Undeveloped West.
3. Carrying trade.
4. Distribution of wealth.
5. Character of the people.

C. NATIONAL LABOR.

1. Free labor.
2. Slave labor.

D. NATIONAL DISADVANTAGES.

1. Want of circulating medium.
2. Want of roads : *McMaster*, II. 553 – 65.
3. Want of experience.

E. ECONOMIC DANGERS.

VI. **Political condition.**

A. LOCAL GOVERNMENTS.

1. Effect of tradition.
2. Effect of colonial life.
3. Effect of republican ideas.
4. Character of administration : *Ratzel, Ver. Staat.*, II. ch. XIII.

B. THE NATIONAL GOVERNMENT.

1. Want of loyalty to it.
2. Want of confidence in it.
3. Reasons for its success.



## C. STATE OF PUBLIC AFFAIRS.

1. Financial distress.
2. Disturbance of public order.
3. Foreign relations.

## D. POLITICAL DANGERS.

VII. **Elements of national greatness.**

## XII. ORGANIZATION OF THE GOVERNMENT (1789-1790).

I. **Expiration of the Confederation:** *Elliot*, I. 133; *F. C.* xiii. 170.

1788. Sept. 13. Action of Congress.

Oct. 21. Congress expires from lack of a quorum.

II.\* **Elections:** *McM.*, I. 525-32; *Schouler*, I. 70-73, 82-85; *Stanwood's Presidential Elections*, 8-16.

1789. Jan. 7-Feb. 4. For presidential electors—For President.  
Jan., Feb. For members of Congress.

III.\* **Organization of Congress:** *Snow*, 13-14; *Hild.*, iv. 48-52.

1789. Mar. 4. Day set for the Government to go into effect.

Apr. 1, 6. House organized; Senate organized.

Aug. 15. Debate on instructions. *Annals of Cong.*, 733-37.

Sept. 24. Salary act. *McM.*, I. 543-44; *Sch.*, I. 105-06.

IV.\* **Organization of the Executive:** *Snow*, 15-17; *McM.*, I. 538-43.

1789. Apr. 30. Inauguration. *McM.*, I. 583; *Schouler*, I. 76.

May. Debate on his title. *McM.*, I. 540-42; *Sch.*, I. 106.

19. Propositions for departments.

July 27. Act for a "Department of Foreign affairs."

Aug. 7. Act for a "Department of War."

Sept. 2. Act for a "Treasury Department."

15. Act changing "Foreign Dep't" to "Dep't of State."

24. Act for an Attorney General. *Fud. Act.*, § 35.

11-26. Cabinet appointments.





V.\* **Organization of the Judiciary:** *Snow*, 17-18; *Hildreth*, iv. 109-12.

- 1789. Sept. 24. Judiciary act.
- 29. Act regulating processes.  
Judicial appointments.
- 1790. Apr. 30. Act defining crimes.

VI. **Oath to the Constitution:** *Annals of Congress*, 265-271; *Schouler*, i. 165.

- 1789. June 1. Act passed. First statute of the U. S. A.

VII.\* **Amendments:** *Schouler*, i. 102-03; *Tucker's U. S.*, i. 405-07.

- 1787-88. Submitted by the States. *Elliot*, i. 319-337.
- 1788. Nov. 14. Va. memorial urging action. *An. Cong.*, 249-50.
- 1789. June 8. Madison's propositions. *Ann. Cong.*, 433-36.
- Sept. 24. Twelve amendments sent to the States.
- 1791. Dec. 15. First ten amendments to the Const. declared in force. *Schouler*, i. 515 n.

### XIII. ESTABLISHMENT OF A NATIONAL FINANCIAL SYSTEM (1789-1792).

I.\* **Revenue:** *McMaster*, i. 544-55; *Schouler*, i. 86-93, 187; *Gay's Madison*, 132-50.

- I. IMPOSTS. 1789. April 8. Madison's scheme.
1789. July 4. First revenue act.
- July 31. Collection act.
1790. Aug. 4. Second collection act.
- Aug. 10. Second revenue act.
1792. May 3. Third revenue act.
2. TONNAGE. 1789. July 20. Discriminating act.
3. EXCISE. *Schouler*, i. 158.
1790. June 21. First bill lost.
1790. Dec. 13. Hamilton's report on public credit. *A. C.*, 2023.
1791. Mar. 3. First excise act.
1792. Mar. 25. Hamilton's report on its working. *A. C.*, 1078.
4. LANDS. (*See later lecture on public lands.*)



II.\* **National Debts:** *Gay's Madison*, 157-58.

1790. Jan. 14. Hamilton's Report. *Annals of Congress*, 1991.  
 Feb. Question of original holders. *McMaster*, I. 574-78.  
 Aug. 4. Funding act.

III.\* **Assumption and capital:** *McMaster*, I. 574-85; *Von H.*, I. 80-89.

\*A. ASSUMPTION OF STATE DEBTS. *Lodge's Hamilton*, 117-29.

1787. Aug. 21, 25. Not included in the Const. *Elliot*, v. 451, 469.  
 1790. Jan. 14. Recommended by Hamilton. *A. C.*, 1999, 2021.  
 Mar. 14. Principle accepted by the House. *A. C.*, 1448.  
 Apr. 12. Principle rejected (31 to 29). *Ann. Cong.*, 1525.

B. CAPITAL. [*Varnum, Seat of Gov't; Spofford, City of Wash'n.*]

- 1783-87. Variety of propositions before Congress.  
 1789. Aug. 27. Scott's resolution on a central location.  
 Sept. 3. Threats of secession. *Ann. Cong.*, 856-59, 881.  
 28. Germantown bill lost by an accident. *A. C.* 950.

\*C. COMPROMISE. *Jefferson*, III. 460, IV. 448-49; *Gay's Madison*, 146-50.

1790. June 8. Potomac defeated in the Senate (9 to 15).  
 Consultation at Jefferson's table.  
 1790. June 28- } Potomac carried. *Ann. Cong.*, 1661, 1680.  
 July 9. }  
 July 16. Act for the seat of government. *S. at L.*,  
 I. 130.  
 July 3, 23. Assumption carried in the Senate and House.  
 Aug. 4. Act for assuming state debts. *S. at L.* I.  
 138-44.

D. STATE PROTESTS. *Von Holst*, I., 89.

1790. Nov.-Dec. 23. Va. protest. *Am. State Paps. Finance*, I. 90.  
 Nov. 13. Ham. submits Va. res. to Jay. *Fay's Fay*,  
 II. 202.

IV.\* **Protection:** *Taussig's History of the Tariff*.

A. BEFORE THE CONSTITUTION.

British acts on Colonial trade. *Prof. Dunbar's Lectures*.

1785. Aug. 22. Pa. protective act. *Bancroft, Con.* I. 187-88.  
 1787-88. Not agitated in the Conventions. *Elliot*, v. 486.



- \*B. IN CONGRESS. *Hild.* iv. 65-76; *Sch.*, i. 87-90; *McM.*, i. 545-49.  
 1789. Apr. 9. First suggestion (by a Pa. member). *A. C.*, 106.  
     Apr.-June. Debates, chiefly economic.  
     July 4. First tariff; slightly protective. *S. at L.*, i. 24-27.  
 1790. Aug., 10. Second tariff; increased protection. *Snow, Appendix*, 40.
- \*C. HAMILTON'S REPORT ON MANUFACTURES. *Snow*, 27-29;  
*Hamilton*, III. 192.  
 1790. Jan. 8. President recommends protection of military supplies  
     15. House calls on Hamilton for a plan.  
 1791. Dec. 8. Hamilton's Report submitted. *A. C.*, 971-1034.  
     *a.* Economic arguments.  
     *b.* Constitutional arguments.  
     *c.* Special recommendations; articles to be protected.
- D. THIRD TARIFF. *Snow, App.*, 40.  
 1792. May 2. "Act for the protection of the frontiers."

#### XIV. POWERS OF CONGRESS ASSERTED (1789-1793).

##### I. **Citizenship:** *Annals of Congress*, 398-406.

1789. April-May. Ramsay-Smith contested election case.  
 1790. Mar. 26. First Naturalization Act. *A. C.* 1109-25.

##### II. **Navigation and Commerce.**

1789. Aug. 7. 1. LIGHT-HOUSE act.  
     Sept. 1. 2. REGISTRY act.

##### III. **Defence and preservation of order.**

###### 1. MILITIA.

1789. Sept. 29. For the frontier.  
 1790. Jan. 18. Knox's report. *Annals of Congress*, 2087.  
 1792. May 2.\* Act for calling out. *Stat. at Large*.  
     May 8. Act for uniform organization. *Schouler*, i. 197.

###### 2. ARMY.

1789. Sept. 29. Previous establishment adopted.  
 1790. April 30. Act for a military establishment.  
 1793. Feb. 28. Pension act.





IV. **General welfare of the United States.**

1789. May 31. 1. COPYRIGHT act. *Schouler*, I. 129.  
 1790. Mar. 10. 2. PATENT act. *McMaster*, I. 583.  
 1793. Feb. 21. Amended patent act.  
 1790. Dec. 3. Hamilton's report on COINAGE. *A. C.* 2059.  
 1792. April 2. Coinage act. *McMaster*, I. 589.  
 1790. Jan. 20. 4. POST-OFFICE. Rep. of the P. Gen. *A. C.* 2107.  
 1792. Feb. 20. Act regulating Post-offices and Post-roads.  
 1790. Mar. 1. 5. Act for a CENSUS. *Schouler*, I. 130-36.

V. **Indians.**

- 1776-88. Relations under the Cont. Congress and Confederation.  
 1789. Aug. 8-12. Debate on treaties with Indians. *A. C.* 689-703.  
           Aug. 20. Act making an appropriation for negotiations.  
 1790. July 22. Act on intercourse and lands.

VI. **Territories.** (*See Lecture X*)

1780. Oct. 10. Resolution to form new States. *J. C.* VI. 213.  
 1784. April. Jefferson's plan. *Bancroft, Con.* I. 154-7.  
 1787. July 13.\* Northwest Ordinance. *J. C.* XII., 85-86.  
 1789. Aug. 7. Act confirming the N. W. Ordinance.  
 1790. May 26. Act regulating the "Territory south of the Ohio."

VII.\* **New States:** *Hildreth*, IV. 147, 209, 268, 326.

- 1781-87. Policy of the Confederation.  
 1787. Provisions of Constitution.  
 1789-90. Special enactments relative to N. C. and R. I.  
           *S. at L.* I.  
 1789. Mar. 21. North Carolina ratifies (12th State).  
 1790. May. 29. Rhode Island ratifies (13th State).  
 1791. Mar. 4. Vermont admitted (14th State) by act of Feb. 18, 1791.  
 1792. June 1. Kentucky admitted (15th State) by act of Feb. 4, 1791.



VIII.\* **Apportionment:** *Hildreth*, IV., 303; *Schouler*, I. 188 – 89.

1787. Temporary provision in the Constitution. *Art.*

I, *Sec.* 2.

1791. Nov. Dec. First bill passes the House, lost in Senate.

1792. Jan. 24 – Mar. 23. Second bill: (8 residuary members).

April 5. Veto (first in U. S. history). *Ann. Cong.* 539.

14. Third bill becomes an act. *S. at L.* I. 253.

## XV. THE NATIONAL BANK CONTROVERSY (1790 – 1791).

### I. Colonial financial system.

1. Colonial bills.
2. "Loan-office" system.
3. Continental and State bills.
4. Continental certificates.
5. Specie.

### II. Scheme for a national bank.

#### A. PRECEDENTS.

1. Foreign banks.
2. Bank of North America: *Bancroft, Constitution*, I. 32 – 36.
3. State banks.
4. Question of a charter in the Convention: *Elliot*, v. 543.

#### B. REASONS FOR A BANK.

1. Currency.
2. Discounts.
3. Aid to the government.
4. Aid to the federal system.
5. Place in Hamilton's schemes.

#### C. HAMILTON'S REPORT TO CONGRESS.

1790. Dec. 14. Report submitted: *Ham's Works; An. of Con.*

1. Causes of existing financial distress.
2. Advantages of a bank.
3. Objections to a bank.
4. Existing banks.
5. Principles of establishment.
6. Draft of a charter.



### III. **Question of expediency:** *Hildreth*, IV. 256–66.

#### A. DEBATE IN CONGRESS: *Schouler*, I. 159–62.

1791. Feb. 1. Alarm raised in the House.

1. Is a bank a good thing?
2. Is this bill judicious?
3. Are the details of this bill constitutional?
4. Is the principle of chartering a bank constitutional?

#### B. DISCUSSION IN THE CABINET.

1791. Feb. The bill sent to the President.  
 Opinions and counter opinions.  
 21. The act approved.

### IV.\* **Question of Constitutionality:** *Story*, §§ 123–66; *Marshall*, 160–87; *Hamilton*, IV, 105–21.

#### A. LETTER OF THE CONSTITUTION: *Jefferson*, VII. 555–61.

1. Power to “borrow money.”
2. Power to “lay taxes.”
3. Power over “property.”
4. Power to raise “fleets and armies.”
5. Power to act for “the general welfare.”

#### B. SPIRIT OF THE CONSTITUTION.

1. Power to do what is “necessary and proper”: *Hamilton*, IV. 109–11.
2. Doctrine of implied powers: *Hamil.* IV. 105–06, 119–21.
3. Doctrine of resulting powers: *Hamilton*, IV. 107.
4. Doctrine of the sovereignty of Congress.

### V. **History of the Bank.**

1791. Organization: *Sumner's Jackson*, 227–29.  
 Course of business.

1811. Expiration of charter.

1819. Decision in “*McCullough vs. Maryland*”: *Marshall*, 160–87.

1884. Decision in “*Juilliard vs. Greenman*.” *Fay's U. S. Notes, App.*





## XVI. SLAVERY AS A LOCAL INSTITUTION (1619-1794).

I. **General principles:** *Hurd, Law of Freedom and Bondage*, I. 149-52, 157-66.

- a. Right of enslaving captives.
- b. Right of enslaving infidels.
- c. Right of offspring of slave women.
- d. Right to sell one's own person.
- e. Right of villeinage.
- f. Right to trade in slaves.

II.\* **Historical:** *Lalor's Cyclopaedia, Art, Slavery*; *Wilson, Rise and Fall of the Slave Power in the U. S.*, I. 2-7; *Greeley, American Conflict*, I. 24-32.

1. Ancient slavery.
2. Roman slavery.
3. Mediæval slavery.
4. Spanish American colonies.
5. English colonies.
6. Introduction of slaves into Va. (Aug. 1619). *Cooke's Va.* 123.
7. Progress of emancipation in the world.
8. Present slave-holding countries.

III.\* **Status in the States in 1789:** *Von Holst*, I. 273-88.

- |            |  |
|------------|--|
| 1619-1772. | 1. Extension of colonial slavery. <i>Wilson</i> , I. 2-7.                              |
| 1607-1774. | 2. Indenture of white persons. <i>Hurd</i> , I. 217-21.                                |
| -1772.     | 3. Effect of English personal liberty. <i>Hurd</i> , I. 178.                           |
| 1772-      | 4. Effect of the Somerset case. <i>Hurd</i> , I. 189-94.                               |
| 1776.      | 5. Effect of the Declaration of Independence. <i>Greeley, Am. Conflict</i> , I. 33-36. |
| 1775-81.   | 6. Effect of the Revolution. <i>Williams' Negro Race</i> , 370-85, 402-12.             |
| 1775-89.   | 7. Effect of the State governments. <i>Hurd</i> , I. 525-27.                           |
| 1781-89.   | 8. Status in Territories of the U. S. <i>Wilson</i> , I. 31-38.                        |



IV.\* **Social effect of slavery:** *Von Holst*, I. 340–57.

A. ECONOMIC.

1. Staple products. *Von Holst*, I. 351–53.  
Cotton. The cotton gin. Rice. Sugar. Slaves.
2. Population. *Von Holst*, I. 353–56; *Greeley*, I. 70–71.
3. Productive capacity.

B. MORAL.

1. On the slaves.
2. On the masters.
3. On free labor.

C. POLITICAL.

1. Dangers from slave risings.
2. Dangers from free speech.
3. Sectional rivalry and prejudice.
4. Changes of apportionment. *Diagram*.
5. Changes of relative rank of States. *Diagram*.

V. **Remedies proposed.**

A. EMANCIPATION. *Goodell, Slavery and Anti-Slavery*; *Von Holst*, I. 288–300.

1. IN THE NORTH.

1777. 1. Vermont bill of rights. *Hurd*, II. 37.
1780. 2. Massachusetts constitution. *Hurd*, II. 28, 29*n*.
1780. 3. Pennsylvania emancipation act. *Hurd*, II. 67.
1783. 4. New Hampshire constitution. *Hurd*, II. 35.
1784. 5. Rhode Island act. *Hurd*, II. 48.
1784. 6. Connecticut act. *Hurd*, II. 42.
1799. 7. New York act. *Hurd*, II. 53, 55.
1804. 8. New Jersey act. *Hurd*, II. 63.

2. IN THE SOUTH.

1782. Virginia act permitting. *Hurd*, II. 3.
- 1785–94. Expectation of general emancipation.

B. ABOLITION.

- 1774–92. Early societies. *Fay*, 112–15.

C. COLONIZATION. (*See later Lecture.*)



## XVII. NATIONAL REGULATION OF SLAVERY (1787-1800).

I.\* **The Constitution:** *Art. I. Sec. 2, § 3; Sec. 9, § 1; Art. IV. Sec. 2, § 3; Cf. Lect. VIII. p. 10.*

1. Compromise on federal ratio. *Bancroft, Constitution*, II. 78-88.

2. Compromise on slave-trade. *Bancroft, Con.* II. 128-31, 151-61.

3. Citizenship clause. *Bancroft, Con.* II. 141-43.

4. Fugitive slave clause. *Bancroft, Con.* II. 143-44.

II.\* **Reception of memorials:** *Von Holst* I. 89-94; *Hild.*, IV. 174-205.

1790. Feb. 11, 12. Memorials submitted. *A. C.* 1183, 1198.

Mar. 16. Rep. on the powers of Congress. *A. C.* 1523.

\* Mar. 23. Amended rep. entered on Journal. *A. C.* 1524.

1793. Petitions of Quakers.

1797. Jan. 30. Petitions of kidnapped negroes. *A. C.* 2016.

1800. Jan. 2. Petitions of free negroes. *A. C.* 229, 238, 245.

III.\* **Fugitive slaves:** *Von Holst*, I. 309-15.

1778. Aug. 9. Clause in the treaty with the Delawares.

1785. April 6. King's prop. for the N.W. Terr. *B. Con.* I. 180.

1787. Clause introduced into third compromise.

1790. April 7. Clause in the Creek treaty.

1791. July 18, Oct. 27. Pa.-Va. case submitted to Congress.

1793. Feb. 12. Fugitive slave act. *S. at L.*, I. 302-05.

IV.\* **Slave trade:** *Von Holst*, I. 315-28.

1787. Constitutional compromise.

1794-1800. Prohibition of export. *Greeley, Am. Conflict*, I. 46 n.

V. **National responsibility for slavery.**





## XVIII. WASHINGTON'S FIRST ADMINISTRATION. (1789-1793).

### I. Character and policy of Washington.

Personal character.

Selection of officers. *Schouler*, I. 93, 107-09.

Question of removals.

Relations with the legislative department.

Rélations with the people : journeys.

Attempt to form a non-partisan administration.

### II. Rise of political parties.

\* A. THEORIES OF ORIGIN. (*Read all references under A.*)

1. Old Whigs and Tories. *Ormsby, Whig Party*, 19.

2. Patriots and loyalists. *Hamilton, Rep.* IV. 417.

3. Friends and foes of the Constitution. *Young*, 73.

4. Friends and foes of popular government. *Van Buren, Political Parties*, 62, 72; *Madison*, IV. 481-82.

5. Friends and foes of monarchy. *Jefferson*, VII. 390-91.

6. Strict-constructionists and loose-constructionists. *Von Holst*, I. 77-78.

B. FORMATION.

Dissolution of old parties.

Worship of the Constitution.

Question of French alliance. *F. Q. Adams, Jubilee Address*.

Question of public credit. *Tucker's Jefferson*, I. 316-17.

Personal rivalries.

### III\* Public men: *Von Holst*, I. 156-67.

Alexander Hamilton. *Lodge's Hamilton*, 271-84.

Thomas Jefferson. *Morse's Jefferson*, III-13.

James Madison. *Gay's Madison*, 186-92.

### IV.\* Quarrels in the cabinet: *Morse's Jefferson*, 96-145; *Lodge's Hamilton*, 140-48.

A. OCCASION.

1. Assumption-capital compromise.

2. Question of patronage.

3. Question of the bank.

4. Mutual distrust.



## B. DEVELOPMENT.

1792. May 23.\* Jefferson's opin. of Hamilton. *Jeff.* III. 459-64.  
 26.\* Ham's opinion of Jefferson. *H. Rep.* IV. 525-26.  
 Aug. 23, 26. Washington's attempt to reconcile. *Wash.*,  
 X. 281.

Newspaper war. *Hamilton*, VII 5-16.

1793. Dec. Jefferson's resignation. *Morse's Jefferson*,  
 123-28.

V. **Charges against Hamilton:** *Von Holst*, I. 109-12.

- A.\* "MONARCHICAL FACTION." *Jeff.* VII. 390; IX. 91, 120, 145.

Hamilton defended. *Lodge's Hamilton*, 60-63, 157.

- B.\* "CORRUPT TREASURY SQUADRON." *Jefferson*, IX. 118-22.

1. Funding system.
2. Bank.
3. Alleged bribery.
4. Complicated book-keeping.

1793. Mar. Giles resolutions break down. *Lodge's Ham.*  
 216-20.

VI. **Election of 1792:** *Stanwood*, 17-23.

1792. Act on counting the electoral vote.

Question of a second term. *Jeff.* III. 360; IX. 121; *Wash.*  
 X. 286.

Candidates for Vice-president.

Choice of electors.

Electoral vote. *Diagram.*

## XIX. WASHINGTON'S FOREIGN POLICY.

I. **State of foreign relations.**

1778. Alliance with France. *United States Treaties.*  
 1783. Peace with Great Britain.  
 1782-85. Commercial treaties with other powers.  
 1789. Effect of the French Revolution on America.

II. **Complications with France.**

- A.\* NEUTRALITY. *Von Holst*, I. 106-12; *Lodge's Ham.* 153-66;  
*Snow*, 41-45.



1793. April 5. News of war between France and Great Britain.  
Genet's arrival.
9. Difficulty of the government.  
Attitude of the parties in the United States.
- 17-18. Cabinet discussion of the question.
22. Procl. of neutrality. *Statesmen's Manual*, I. 46.
- B. GENET AFFAIR: *Schouler*, I. 246-55, and *Lodge's Hamilton*, 166-75; *Morse's Jefferson*, 146-65, and *Von H.* I. 113-18.
1793. April. Commissions to privateers.
- May-June. Captures by Genet's privateers.  
Henfield case.—Schemes for attacking Spain.
- July 12. Escape of the "Little Democrat."
- Aug. Genet's recall and appeal to the public.  
Effect on the parties. Democratic Societies.

### III. England.

- A. COMPLICATIONS: *Snow*, 36-38; *Hildreth*, IV. 440-43.
1. Old grievances: debts, frontiers, and discriminations.
  2. Impressment question.
  3. Restrictions on neutral trade.
  4. Indians. Lord Dorchester's hint of war: *Hild.*, IV. 485.

### IV.\* Preparations for war: *Schouler*, I. 265-73; *Lodge's Ham.*, 175-80.

1795. Mar. Apr. First embargo, fortification, arsenal and naval acts.
- Mar. Apr. Propositions of non-intercourse and sequestration.
- Apr. 16-19. Jay appointed envoy to Great Britain.
- June 5. Neutrality act.

### V. Conclusion of a treaty with England.

- A.\* POLITICAL QUESTION: *Schouler*, I. 289-99; *Von H.* I. 122-28.
1794. Nov. 19. Treaty signed; *Schouler*, I. 289-90; *Snow*, 39.
1795. June 24. Ratification by the Senate.  
Popular discontent: *Lodge's Hamilton*, 188-94.
- Aug. "Despatch No. 10" disclosure.
19. Washington approves the treaty.  
Protests of the States: *Hildreth*, IV. 574-76.
1796. June. Western posts surrendered: *Schouler*, I. 316.





B.\* CONSTITUTIONAL QUESTION OF SUBMITTING DOCUMENTS: *Stevens' Gallatin*, 113-14; *Schouler*, I. 308-18

1796. Mar. 9. Amended treaty arrives.

24. House calls for all the papers.

30. Washington refuses: *Wash.*, XII. 112-13.

Apr. 7. Resolutions of the House: *Hildreth*, IV. 589.

C.\* CONSTITUTIONAL QUESTION OF REFUSING APPROPRIATIONS: *Stevens' Gallatin*, 120-25; *Schouler*, I. 310-14; *Story*, § 1835.

1796. Apr. 13. Debate on carrying out treaties.

1796. Apr. Gallatin's plan of delay; the appropriation voted.

1816-67. Later discussions.

## VI. Relations with Spain.

A. 1789-94. INTERNATIONAL DIFFICULTIES: *Hildreth*, IV. 134-36.

a. Florida boundary question.

b. Intrigues to detach the West.

c. Genet's scheme of invading Louisiana.

d. Mississippi navigation.

\*B. 1795. Oct. 27. TREATY OF THE ESCURIAL: *Schouler*, I. 307; *Hildreth*, IV. 569; *Treaties*, 776, 1071.

Boundary settlement.

Right of deposit at New Orleans.

C. MIRANDA PROJECTS: *Hildreth*, V. 238-39.

## VII. Relations with Barbary Powers: *Hild.* IV. 133, 457-59, 566-67.

1795-97. Treaties with Algiers, Tripolis, and Tunis.

## XIX. WASHINGTON'S SECOND ADMINISTRATION,—DOMESTIC AFFAIRS (1793-1797).

I.\* **Whiskey Rebellion:** *Hildreth*, IV. 498-516, and *Von H.*, I. 98-104.

A. CAUSES AND EVENTS LEADING UP TO THE OUTBREAK.

1. Early disturbances: *Adams' Gallatin*, 86-93.

Character of the western settlers.





- 1790-92. Excise legislation.  
 Meetings and resolutions.—Gallatin's part.  
 Violence: hesitation of the government: *Ham.* iv. 582.  
 2. Attempt to suppress by ordinary means: *Ham.* iv. 589.  
 1792. Sept. 15. First proclamation: *Washington*, x. 532.  
 Attempts to get indictments.—Hamilton's plans.  
 1793-94. Amended judicial and excise acts.  
 3. Armed outbreak: *Stevens' Gall.*, 69-79; *Whar.* 110-13.  
 1794. Service of writs on delinquent distillers.  
 July 17. Assault on Neville's house.  
 23-Aug. 2. Muster of armed men: mail robbed.

#### B. CONSTITUTIONAL QUESTIONS OF COERCION.

1794. Aug. Means of coercion.  
 Consent of the State: *Wharton*, 162.  
 "Suppressing rebellion."  
 "Combinations to prevent execution."  
 Proclamation (issued August 7): *Wharton*,  
 155-56.

#### C. SUPPRESSION OF THE REBELLION.

1. Effort to arrange terms: *Stevens' Gallatin*, 80-90.  
 1794. Probable purpose of the rising.  
 Aug.-Sept. Conferences of commissioners.  
 Sept. Vote on, and partial acceptance of, a submission.  
 2. Armed suppression.  
 Aug. 7. Call on the States. Pennsylvania backward.  
 Sept. 25. Third proclamation announcing "military coercion."  
 Oct. 20. Instructions to the troops: *Wash.* x. 447;  
*Wharton*, 159.  
 Nov. Collapse of the rising; arrests and examinations.  
 Question of Gallatin's responsibility.  
 3. Judicial proceedings: *Stevens' Gall.* 99; *Wharton*, 176-83.  
 1795. Mitchell and Vigol treason cases.

#### D. EFFECTS OF THE REBELLION.

1. Strength given to the Government.  
 1795. Feb. 28. 2. Amended act for calling out the militia.  
 3. Discouragement of democratic societies.



## II. General legislation.

1794. Feb. Senate doors opened. Gall. question: *Schouler*,  
I. 258.
12. St. Domingo relief bill: *Schouler*, I. 267.
- June 5. Carriage tax act.
1795. Jan. 29. Second Naturalization act.
- Mar. 3. Funding act: *Hild.* IV. 536-37; *Sch.* I. 286.
1796. Apr. 20. Navy act: *Hildreth*, IV. 437-38.
- June 1. Tennessee admitted.

## III.\* Retirement of President Washington: *Schouler*, I. 327-31; *Von Holst*, I. 132-37.

- 1793-95. Cabinet changes.
1796. Question of a third term.
- Sept. Farewell address.
- Review of his administration.

## XX. TRIUMPH OF THE ULTRA-FEDERALISTS (1796-1799).

### I. Succession of Adams.

- A. ELECTION OF 1796: *Stanwood*, 24-29; *Map*.
- B. ADAMS' POLICY: *Morse's Adams*, 265-310.
- Cabinet retained.

### II. Resistance to French aggression.

- A. MONROE'S MISSION: *Gilman's Monroe*, 44-68; *Sch.* I. 317-26.
1794. June. Monroe sent out in place of Morris.
- Aug.-Sept. Reception by the Convention.—Flag episode.
- 1794-96. Negotiations.—Anger of the French at the Jay treaty.
1796. Sept. Recall.—Criticisms on his course.
- Dec. French government refuses to receive Pinckney.
- \*B. X Y Z AFFAIR: *Sch.* I. 345-51, 374-82; *Stevens' Gall.* 162-66.
1797. May 15. Special message on the insult to Pinckney.
- June. Pinckney, Gerry, and Marshall sent out.
- Oct.-Nov. X Y Z overtures.
1798. Apr. Gerry remains to treat.



- C. WAR SPIRIT IN THE U. S.: *Sch.* I. 382-91; *Von H.* I. 138-42.  
 1798. Apr.-May. Acts for defense.  
 June 21. Adams' bold message: *Ann. of Congress*, 2029.

### III. Alien and Sedition Acts.

- A.\* 1798. June 18. THIRD NATURALIZATION ACT: *Schouler*, I. 393; *Hildreth*, v. 213-14, 216.  
 Proposition to exclude foreigners from office: *Annals of Congress*, 1570.  
 Constitutional question of citizenship.
- B.\* 1798. June 25. ALIEN ACT: *St.*, §§ 1293-94; *Sch.*, I. 394-99.  
 Apr. Withdrawal of many Republican members.  
 Constitutional questions: *Madison*, IV. 524-32.  
 a. Personal liberty.  
 b. Migration.  
 c. Judicial functions of the executive.
- C. 1798. July 6. ALIEN ENEMIES' ACT.  
 May 8. Sewall's proposition for expelling alien enemies: *Annals of Congress*, 1566, 1631, 1773.  
 Constitutional question of the status of enemies.
- D. 1798. July 14. SEDITION ACT: *Schouler*, I. 394-404; *Von H.*, I. 141-43; *Hildreth*, v. 225-32.  
 June Arrest of the editor of the *Aurora*.  
 29. Senate sedition bill.  
 Constitutional questions: *Madison*, IV. 532-50.  
 a. Freedom of speech and the press: *Story*, §§ 1885-86.  
 b. Common law jurisdiction.  
 c. Habeas corpus: *Cooley*, 128-31.  
 July 9. Bayard's amendment: truth a defense: *A. C.*, 2134.  
 Petitions against the act.
1799. Feb. 25. Goodrich's report: *Hildreth*, v. 297-302.
1800. Jan. Attempt to repeal: *Schouler*, I. 455-56.
- E.\* APPLICATION OF THE ACTS: *Schouler*, I. 420-21, 448-50; *Hildreth*, v. 247-50, 352, 365-368.
1. Naturalization act — amended.
  2. Alien act — not executed.
  3. Alien enemies' act — not in force.
  4. Sedition act — Lyon, Cooper, and Callender cases.





- IV. **Fries insurrection:** *Hildreth*, v. 312-13, 367.  
 1799. Mar. 7. Attack on the marshal.  
       12. Proclamation—armed suppression.  
 1799-1800. Fries' two trials and pardon.

## XXI. VIRGINIA AND KENTUCKY RESOLUTIONS (1798-1800).

### I. History.

#### A. ORIGIN.

1. Party spirit.
2. Sectional differences.
3. Constitutional interpretation.
4. Federal legislation.

\*1798. June 1. Jefferson on secession: *Jefferson*, iv. 245-48.

B.\* 1798. Nov. 19. KENTUCKY RESOLUTIONS: *Von H.*, i. 143-45;  
*Hild.*, v. 272-76; *Jeff.*, ix. 464-69;  
 \*Text: *Elliot*, iv. 540-44; *Shaler's Kentucky*,  
*App. N.*

Question of authorship: *Von Holst*, i. 144, 149.

C.\* 1798. Dec. 21. VIRGINIA RESOLUTIONS: *Von Holst*, i. 143-47;  
*Hildreth*, v. 276-77; *Schouler*, i. 422-24.  
*Elliot*, iv. 528-32. \*Text and accompanying  
 address.

Question of authorship. *Von Holst*, i. 145 n.

### II. Effect.

- A. 1799. Feb.-Oct. COUNTER RESOLUTIONS IN OTHER STATES:  
*Hildreth*, v. 296-97; *Elliot*, iv. 532-39. (*Text.*)
- B. 1799. Nov. 22. SECOND KENTUCKY RESOLUTIONS: *Hildreth*, v.  
 319-20; \**Elliot*, iv. 544-45. (*Text.*)
- C. 1800. MADISON'S REPORT: *Hildreth*, v. 319-21; *Von Holst*,  
 i. 147; *Elliot*, iv. 546-80. (*Text.*)

### III. Was forcible resistance intended? *Von Holst*, i. 156-58.

Washington's fears: *Washington*, xi. 387-389.

Hamilton's letters: *Hamilton*, vi. 384; *Hamilton, Rep.*, vii. 277.

John Randolph's testimony: *J. A. Hamilton's Reminiscences*, 39.



#### IV. Constitutional question of the final arbiter.

##### A. NECESSITY OF SOME FINAL TRIBUNAL.

1. From the nature of government : *Kent*, I. 296.
2. Provisions of the Constitution : *Art. VI* ; *Story*, §§ 1637 – 42.
3. Testimony.
  - a.* Of “the fathers.”
  - b.* Of jurists : *Story*, § 1591.
  - c.* Of the supreme court : *Marshall*, 227 – 28.
4. Practice.

##### B. POSSIBLE ARBITERS.

1. State governments.  
Executive — legislative — courts — conventions.
2. National government.  
Executive — legislative — courts — convention.

##### C. POSSIBLE CASES.

1. Doctrine of specific cases : *Story*, § 1640.
2. Doctrine of “obiter dictum.”
3. Doctrine of judicial cases : *Story*, §§ 1640 – 42.
4. Doctrine of political cases : 7 *Howard*, 40.

##### D. POSSIBLE PARTIES.

1. Controversies between citizens.
  - a.* Of the same State. *Story*, § 1660.
  - b.* Of different states or nations.
2. Controversies between a State and its citizens.
  - a.* The State as plaintiff.
  - b.* As prosecutor.
  - c.* The State as defendant. Doctrine of writ of error (*Cohens vs. Virginia*).
3. Controversies between a State and citizens of another State.
  - a.* As plaintiff.
  - b.* As defendant (Eleventh amendment).
  - c.* Doctrine of *bona fide* suits (*New York vs. Mississippi*).
4. Controversies between a State and a foreign State.
5. Controversies between States. Question of sovereignty.
6. Controversies between States and the United States.  
Always some States on the side of the government.  
How arising.



- 1833. 1. Conflicts with the United States Legislature.
- 1830. 2. Conflicts with the United States Executive.
- 1809. 3. Conflicts with the United States Courts.
  - a.* Doctrine of cases "arising under the Constitution." *Marshall*, 224.
  - b.* Doctrine of appeal jurisdiction: *Marshall*, 250–56.
  - c.* United States cannot be sued: *Story*, §§ 1668–72.
- 7. Controversies between departments of the general Gov't.
  - a.* Executive and legislative. (Treaties.)  
Legislative and executive. (Tenure of Office.)
  - b.* Judicial and executive. (*Marbury vs. Madison*.)  
Executive and judicial. (*Habeas Corpus*.)
  - c.* Judicial and legislative. (*Dred Scott Case*.)  
Legislative and judicial. (*Court of Claims*.)

## XXII. REMEDY FOR USURPATION BY THE GENERAL GOVERNMENT.

### I. Judicial.

- A. IS A SOVEREIGN STATE SUABLE WITHOUT ITS CONSENT?  
*Marshall*, 228–30.
- B. HAVE STATES GIVEN CONSENT BY RATIFYING THE CONSTITUTION? *Marshall*, 223–26.
- C. DID THE FRAMERS OF THE CONSTITUTION INTEND THAT STATES SHOULD BE SUED? *Story*, §§ 388–95.
- D. HAVE THE UNITED STATES COURTS MAINTAINED JURISDICTION?
  - 1793. Aug. Case of *Georgia vs. Brailsford*.
  - 1793. Feb. Case of *Chisholms vs. Georgia*: *Story*, § 1677.  
Agitations in Massachusetts and Georgia.
  - 1794. Mar. 5. Eleventh Amendment proposed.
  - 1798. Adoption of the Eleventh Amendment.
  - 1809. Case of *Olmstead*.
  - 1830. Case of *Worcester vs. Georgia*.

### II. Political.

- A. DECLARATION BY A STATE LEGISLATURE THAT THE ACTION OF CONGRESS IS UNCONSTITUTIONAL: *Madison*, IV. 104–06.





1. Effect of declaratory acts.
2. The Constitution on the supreme law.
1800. 3. Testimony of Madison: *Madison*, IV. 517-18, 553.
4. Cases of remonstrance.

1793. Georgia.
- 1798-99. Kentucky and Virginia.
1810. Virginia.
1819. Virginia, etc.

B. APPEALS TO OTHER STATES TO JOIN IN SUCH DECLARATIONS.

1. No objection, unless treasonable.
2. Constitution recognizes inter-state relations.
1800. 3. Madison's exposition: *Madison*, IV. 553-54.
4. Cases of such appeals.

- 1798-99. Kentucky and Virginia.
1815. Massachusetts and Connecticut.
1832. South Carolina, etc.

C. FORMAL PROPOSITION OF CONST'L AMENDMENT: *Story*, § 395.

1. Constitutional method in judicial cases.
2. Madison's exposition: *Madison*, IV. 553-54.

Cases: —

- a.* Single amendment proposed, 1794, etc.
- b.* Conven'n called for—1790, 1832, 1861, etc.: *Lal.*, II. 675.

D. CHANGE OF PARTIES THROUGH REGULAR ELECTIONS: *Madison in Story*, § 396 *n.*; *p.* 378.

1. The constitutional method in political cases.
2. Testimony of the *Federalist*: *No.* LXVIII. *p.* 543.

III.\* **Interposition:** *Von Holst*, I. 150-66; *Madison*, IV. 95-106.

A. BY DECLARATION THAT A GIVEN ACT HAS NO FORCE ANYWHERE.

1. Nature of government. Other confederations.
2. The Constitution.
3. The "fathers." Expect'n of a conflict: *Fed.* XVI. *pp.* 100-06.
1787. 4. Madison's view: negative.
1788. Madison's view: Supreme Court: *Fed.* XXXVIII. *p.* 265.
1800. Madison's view: "Interposition:" *Va. Res.* § 3.
1830. Madison's view: "Amendment:" *Story*, § 396 *n.*; *pp.* 376-79.

B. "NULLIFICATION" OF ACTS IN SINGLE STATES ONLY. (1832.)

C. "SECESSION," appeal to arms. (1861.)





## XXIII. TRIUMPH OF THE REPUBLICAN PARTY (1798 - 1802).

### I. Unpopularity of the Federalists.

A. FOREIGN AFFAIRS: *Schouler*, I. 430 - 35, 439 - 44; *Hildreth*, v. 283 - 93, 312 - 31.

1. England. Jay treaty. Miranda affair. *Lect.* XVIII.

2.\* France: *Morse's John Adams*, 293 - 305.

1799. French overtures. Commission sent.

1800. Sept. 30. Convention negotiated.

Origin of French spoliation claims.

B. DOMESTIC AFFAIRS: *Schouler*, I. 447, 457.

Robbins, Fries, and sedition, cases.

C.\* LEGISLATION: *Hild.*, v. 400 - 01, 414; *Lodge's Ham.*, 221 - 26.

1. Military expenses.

2. Direct taxation.

3. Alien and sedition acts.

1800. 4. Judiciary act. Judicial appointments.

D.\* PARTY DISSENSIONS: *Lodge's Ham.*, 188 - 236; *Sch.*, I. 466 - 75.

1. Breach between Adams and Hamilton: *Lodge's Ham.*, 198 - 200; *Morse's John Adams*, 231 - 35.

1. Miranda affair.

2. Hamilton's commission,

3. Presidential elections.

1800. 4. Hamilton's attack on Adams: *Hildreth*, v. 382 - 86.

2. Breach between Adams and the cabinet: *Lodge's Ham.*, 229 - 31; *Morse's John Adams*, 311 - 16.

II.\* **Election of 1800-1801:** *Von H.*, I. 168 - 78; *Lodge's Ham.*, 194 - 201; *Stanwood*, 30 - 44.

1. Candidates. Washington's death.

2. Campaign.

1800. Apr. N. Y. Republican. Ham.'s scheme: *Lodge's Hamilton*, 227 - 29.

Nov. Republican electors chosen: *Map*; *Stevens' Gall.* 161 - 72.

3.\* Election in the House: *Morse's Jefferson*, 195 - 208; *Lodge's Hamilton*, 235 - 36.



1801. Feb. Federalist intrigue with Burr.  
 Question of Jefferson's assuming power.  
 Choice of Jefferson for President.

### III. Policy of the Republican administration.

A.\* PRINCIPLES OF THE PARTIES COMPARED: *Von Holst*, I. 177-83.

1.\* Federal principles: *Hildreth*, v. 415-18.

2.\* Jefferson's doctrinaire declarations: *Morse's Jefferson*, 90-93, 103.

3.\* Jefferson's principles: *Morse's Jefferson*, 209-18; *Sch.*, II. 2-15; *Adams' Randolph*, 54-62.

4.\* Jefferson's inaugural: *Statesmen's Manual*, 149-52.

B. CABINET: *Hildreth*, v. 422-26.

C. FOREIGN POLICY.

1. Alliances.

2. British joint commissions.

3. Defense; force reduced.

4. Tripolitan war.

D. FINANCE: *Stevens' Gallatin*, 185-98.

1. Criticisms on Hamilton's policy.

2. Economy; foreign missions.

3. Debt. Scheme of extinguishment

1802. Apr. 6. 4. Internal revenue repeal.

1804. Mar. 3. 5. Tariff. "Mediterranean fund."

E.\* JUDICIARY: *Adams' Randolph*, 62-71; *Hildreth*, v. 440-41.

1801. Mar. Case of *Marbury vs. Madison*: *Marshall*, 1-20; *Von Holst*, II. 64.

1802. Mar. 8, Apr. 29. Federal judiciary act repealed; courts reorganized.

Question of legislating judges out of office.

F.\* APPOINTMENTS AND REMOVALS: *Morse's Jefferson*, 218-30; *Hildreth*, v. 426-31.

Jefferson's previous declarations.

Gallatin's draft circular: *Adams' Gallatin*, 313-16.

Jefferson's modified views.

Goodrich-Bishop case.

Quarrel with Burr.



## XXIV. THE PUBLIC LANDS (1780 - 1802).

I. **Acquirement.**A. JURISDICTION: *See Lect. X.*

B. TITLE.

1. State cessions.

2. Indian cessions.

II. **Administration up to 1789.**

1780. Sept. 6. First resolution on the public lands.

Oct. 10. Ordinance on the western territory: *Four. Cong.*,  
VI. 213.

1781. Nov. 3. Report on a method of survey.

1783. Apr. 23. Resolution on land grants.

1784. May 7. Jefferson's scheme for survey and sale.

1785. Apr. 12. Grayson's ordinance; principle of reservations.

1787. North-west ordinance: *See Lect. IX.*III. **Alienation up to 1789.**

1700 - 1755. French grants.

1748. Grant to the "Ohio Company."

1776 - 1783. Continental bounty lands.

1777 - 1783. State bounty lands.

1780 - 1785. Virginia land sales.

1788. Apr. 7. Grant to Putnam's Ohio Company.

Aug. 24. Grant to Vincennes settlers.

Sept. 4. Grant of the Triangle.

Grant to Symmes' Company.

IV. **Power of the U. S. over lands.**

1. "Territory" clause.

2. "Other property" clause.

3. "Indians" clause.

4. "New States" clause.

Expectations from the lands.

Extent of the lands: *Map.*





## V. Early land system of the U. S.

### A. NEGOTIATIONS WITH INDIANS.

1789. July 22. Act on intercourse with Indians: *See Lect.*  
           Aug. 7. First Indian treaty under the Constitution  
 1793. Indian boundary line.  
 1800. Indian boundary line.

### B. PREVIOUS GRANTS CONFIRMED.

- 1789-1792. Virginia bounty lands—Vincennes—Triangle—Symmes—Ohio Company.  
 1795 Yazoo land question.

### C. SALES FOR REVENUE.

#### 1. By special act of Congress.

1789. Aug. 7. Northwest ordinance confirmed.  
 1789. May-July. Scott's land office bill fails: *Ann. of Cong.*,  
                   411-16, 453, 622-30, 665, 673.  
 1790. Jan. 20. Proposition: for sales by private contract:  
                   *Ann. of Cong.*, 1068-72.  
           July 20. Hamilton's report on a land office.  
                   Principles of the discussion.  
 1789-1796. Amount of sales up to 1796.

#### 2. By sales at auction.

1796. May 18. First land bill: *Statutes at Large*.  
 1796-1800. Amount of sales.

#### 3. By land-offices.

1800. May 10. Second land bill.  
 1801. Gallatin's land policy: *Adams' Gallatin*, 297-98.  
 1802. Apr. 30. Act for school and road reservations.  
 1800-1830. Amount of sales.

## VI. Question of Immigration.

- 1789-1801. Statistics.  
           Foreign elements.  
           Slave trade.  
           Inter-State movement.



## XXV. ANNEXATION OF LOUISIANA (1801-1803).

- I.\* **Previous changes of ownership:** *Morse's Jefferson*, 231-39.
1699. French Settlement: *Hild.*, II. 220-25, 280-84.
1763. Cession of the east bank of the Mississippi to Great Britain.
- 1762-69 Transfer to Spain: *Cable's Creoles of La.*, 54-80.
1783. Florida cession to Spain.
1800. Oct. 1. Treaty of St. Ildefonso: *American S. P. Public Lands*, VII. 576.
1802. Apr. Official notice of the retrocession.
- II.\* **Negotiations:** *Morse's Jefferson*, 239-46; *Gilman's Monroe*, 74-85; *Schouler*, II. 37-51; *Adams' Randolph*, 75-81.
- Importance of New Orleans: *Jefferson*, IV. 434; *Morse's Jefferson*, 238.
- 1801-02. Livingston's negotiations.
1802. Oct. 16. Privilege of deposit withdrawn.
- Dec. Debate on submitting papers.
1803. Jan. 10. Monroe sent out.
- Feb. 7. Two millions appropriated.
- Mar. 3. Act for calling out 80,000 militia.
- Apr. 8. Talleyrand offers the whole territory.
- III.\* **Treaty of Cession Completed:** April 30, 1803. *Gilman's Monroe*, 85-93; *Stevens' Gallatin*, 201-02; *U. S. Treaties*, 275-82.
- Question of responsibility.
- Question of price paid.
- Question of American claims.
- IV. **What did the United States acquire?** *Barrows' Or.*, 216-17.
- Question of Oregon.
- Question of Southwestern Gulf coast.
- Question of West Florida.
- V.\* **Constitutionality of the treaty:** *Story*, §§ 1277-83; *Von H.* I. 183-93.



1. Republican view: *Randall's Feff.*, III. 78–80; *Adams' Randolph*, 83–86.  
     War power.  
     Treaty power.  
     Constructive powers.
2. Federalist view: *Adams' Randolph*, 88–95.  
     Sectional objections.  
     Pickering's partnership theory.  
     Citizenship argument.  
     New States argument.  
     Argument from "ports."
3. Jefferson's view: *Morse's Feff.*, 246–58; *Adams' Gall.*, 319–21.  
     Indemnifying amendment necessary.  
     Republican *vs.* Federalist principles.

## VI. **Organization of the territory.**

- A. LOUISIANA: *Hildreth*, v. 495–98; *Schouler*, II. 51–52, 74–76.  
     1803. Occupation; attitude of the Creoles  
     1804. Jan. 10. Question of revenue.  
         Mar. 26. Organization of Orleans territory.  
     1805. Mar. 2. Act for territorial government.  
     1812. Admission as a State.
- B. WEST FLORIDA.  
     1804. Mar. 27. Act for organization of East Mississippi Ter.  
         Discussion with Talleyrand: *Annals of Congress* (1804–05), 1360.  
     1805–06. Scheme of forcible occupation: *Morse's Jeffer-*  
         *son*, 276–78; *Niles' Reg.*, III. 52.
- C. OREGON. *Barrows' Oregon*, 57–63.  
     1793. Discovery of the Columbia.  
     1803–05. Lewis and Clarke's expedition.  
         Settlement of Astoria.

## XXVI. REPUBLICAN ADMINISTRATION AND FEDERAL DISCONTENT (1803–1808).

- I.\* **Impeachments:** *Hildreth*, v. 511–12, 540–44; *Adams' Rand.*, 96–102, 131–53.  
     1803. The Pennsylvania impeachment: *Sch.*, II. 54.



1804. Mar. 12. Pickering impeachment.  
 1805. Jan. – Mar. Chase trial: *Adams' Memoirs*, I. 322.  
       Mar. 1. Randolph's proposed amendment: removal  
               of judges.  
               Nicholas' proposed amend.: recalling senators.

## II. "New England Plot."

### A. CAUSES OF FEDERAL DISSATISFACTION.

1. Legislation.
2. Impeachments.
3. Louisiana purchase.
4. Republican supremacy.
5. Intrigues with Burr.

1804. Feb. 10. Hamilton's paper on Burr: *Ham. Rep.*, VII. 771.

### B. SEPARATION SUGGESTED AS A REMEDY.

1790–93, 1794, 1795, 1796, 1798–99, 1801, 1803.

### C. EVIDENCES OF A PLOT.

1. Plummer's correspondence: *Plummer's Life*, 283–92.
1828. 2. J. Q. Adams' testimony: *N. E. Fed.*, 52–57, 147, 228
1829. 3. Eastern Federalists' denial: *N. E. Federalism*, 77.
4. Pickering's correspondence: *Lodge's Cabot*, 337; *N. E. Fed.*, 338–56 *passim*.

### D. EFFECT OF THE "PLOT": *Von Holst*, I. 197–99.

1. Injury to the Federalists: *Ham. Rep.* VII. 779, 787, 823; *Jeff.*, IV. 542.
2. Duel between Burr and Hamilton. 1804, July 10: *Lodge's Hamilton*, 245–52; *N. E. Fed.*, 163–70.
3. Advantage to the Republicans.

## III.\* **Election of 1804:** *Stanwood*, 45–50; *Hildreth*, V. 517–20, 530–33; *Morse's Jefferson*, 266–71.

### A. CANDIDATES.

1804. Feb. Republican caucus: Jefferson and Clinton.  
       Federalist nominations: Pinckney and King.  
       Defeat of Burr in New York.

### B. CAMPAIGN.

### C. VOTE.

1804. Sept. 25. Twelfth amendment proclaimed: *Elliot*, I. 341–43; *Stanwood*, 46–47.  
       Nov. Republican electors chosen: *Map*.





## XXVII. INTERNAL IMPROVEMENTS (1775 – 1809).

I. **National Highways:**

## A. NATURAL WATERWAYS.

1. Ocean.
2. Great lakes.
3. Rivers.

## B. ARTIFICIAL WATERWAYS.

1. Protected coast navigation.
2. Around falls of the Blue Ridge.
3. Across the Alleghanies.
4. From Mississippi system to great lakes.
5. Improvement of rivers.

## C. ROADS.

1. Along the coast.
2. Across the mountains.
3. To the far West.

II. **Early schemes of improvement:** *Banc. Const.*, I. 168 – 72, 250 – 62.

- |            |  |
|------------|--|
|            | 1. Colonial roads.   |
| 1777–1785  | 2. Washington's trans-Alleghany scheme.<br>Danger of separation of the West. |
| 1785–1789. | 3. Improvement of the Potomac.   |
| 1785.      | 4. Trans-Alleghany roads.  |
| 1785.      | 5. Chesapeake-Delaware scheme.   |

III. **Power of the U. S. over internal improvements.**

1. Clause on "Post-roads."
2. Clause on "Commerce between States."
3. "Correspondence" clause.
4. "General welfare" clause.
5. "Necessary and proper" clause.  
Question of the consent of States.  
Laying of State tonnage duties.

IV. **Scheme of the Federalists.**

1791. Dec. 5. Hamilton's recommendation: *A. C.*, 1015 – 16.



1792. Feb. 20. Post-road established.  
 1796. Madison's scheme of government roads.  
 Condition of the roads.

## V. **Action of the Republicans.**

- 1791 – 1800. Admission of inland States.  
 1802. Feb. 13. Gallatin's proposition for a government road.  
 Apr. 30. Ohio act for five per cent fund.  
 1806. Mar. 29. First Cumberland Road act.  
 Extent and cost of the road.  
 1805 – 1807. Jefferson's proposition for a constitutional amendment: *Statesmen's Manual*, 190 – 91.  
 1807. Feb. 10. Coast survey act.  
 Feb. 28. Land grant bill.  
 Mar. 2. Resolution for a report by Gallatin.

## VI. **Gallatin's Report:** (1808.) *Am. State Paps. Misc.*, 1. 724.

1. Advantages of improvements.
2. Canals.
3. Main roads.
4. Western roads.  
 Railroads described.  
 Constitutional scruples of the President.

## XXVIII. BURR'S CONSPIRACY (1805 – 1807).

### I. **Character and History of Aaron Burr:** *Ilild.*, v. 594 – 603 ; *Randall's Jefferson*, III. 173 – 78.

- Early life: *Parton's Burr*.  
 1796. Candidacy for the Vice-Presidency. *Cf. Lect.*  
 1800 – 1801. Election as Vice-President. *Cf. Lect.*  
 1801. Quarrel with Jefferson.  
 1804. Quarrel with Hamilton.  
 1805. Apr. First trip to the West.  
 1805 – 1806. Intrigues in Washington.



## II. **The expedition:** *Hild.*, v. 603 – 14 ; *Randall's Jeff.*, 179 – 86.

1805 – 1806. Preparations.

1806. June 24. Muster of men at Blennerhasset's.  
Descent of the Ohio.

Nov. The attempt to stop Burr by legal process.  
Burr's probable intentions.

## III. **Suppression of the conspiracy.**

1806. Oct. 8. Swartwout comes to Wilkinson.

Dec. 9-14. Alarm and preparations at New Orleans. *Cable's Creoles*, 147 – 55.

Arbitrary arrests.

Nov. 27. Jefferson's proclamation.

Dec. 20. Jefferson's orders.

1807. Jan. 18. Burr's surrender at Natchez.

Feb. 19. Burr's arrest in Alabama.

## IV. **Political effect of the conspiracy.**

1. On Burr.

2. On the administration.

3. On parties.

4. On the Southwest.

5. On national feeling.

6. On legislation.

1806. Dec. Recommendation for a force act. *Ann. Cong.*,  
XII, 218 – 62.

1807. Mar. 3 Act for use of troops in "insurrections." *Stat.*  
*at L.*, II. 443.

## XXIX. PERSONAL LIBERTY AND TREASON (1806–1807).

### I. **Principles of Habeas Corpus:** *Hurd's Habeas Corpus.*

English personal liberty.

1676. Habeas corpus act.

Habeas corpus in the Constitution.

Doctrine of suspension.





II.\* **The Habeas Corpus cases in 1806-07:** *Hild.*, v. 612-13, 626-28; *Randall's Jefferson*, III. 194-98.

Returns made by Wilkinson: *Ann. Cong.*, 530-62, 1010.

1807. Jan. 22. Jefferson's message on the exigency.  
           23. Senate suspension bill: *Ann. Cong.*, (1808-09), p. 274 *u.*  
           26. Action of the House: *Ann. Cong.* (1807), pp. 402-24.  
       Feb.      Writ in favor of Bollman and Swartwout: *Marshall*, 41-52.  
       Feb. 17-19. House debate on enforcement.

III. **Present status of Habeas Corpus:** *Lalor's Cyclopædia*.

1807-1860. Various cases.

1862. Merryman case.

IV. **Principles of Treason.**

Early English practice.

Colonial cases.

1787. Treason in the Constitution.

1794. Principle in the Whiskey Rebellion cases.

1799. Principle in the Fries cases.

V.\* **Treason trials in 1807:** *Hildreth*, v. 668-73; *Magruder's Marshall*, 202-31.

1807. Feb. 25. Bollman and Swartwout cases: *Marshall*.

      Sept. Burr's trial and acquittal.

      Oct. Burr's trial for misdemeanor.

      Criticisms on Marshall.

      Question of subpoena on the President: *Jeff.* v. 94-103; *Randalls Jeff.* III. 205-12.

      Question of executive interference with the courts: *Jefferson*, v. 84, 175, 188.

VI. **Constitutional principles of treason:** *Story*, §§ 1790-97; *Marshall*, 54-55, 69-71, 83-85, 89-90, 100-05.

1. What is "levying war"?

2. Against whom must war be levied?



3. Who may commit treason?
4. Who are "enemies"?
5. What is "adhering" to them?
6. What is an "overt act"?
7. Where shall the trial be held?

Application in 1865.

### XXX. NEUTRAL TRADE AND THE EMBARGO (1805-1809).

- I. **Foreign aggressions:** *Hild.*, v. 646-49; *Schouler*, II. 151-56; *Gay's Madison*, 264-82.

- A. ADMIRALTY DECISIONS by British courts.
- B. IMPRESSMENT: *Cf. Lect.*
- C. CONTINENTAL SYSTEM of Napoleon.
- D. ORDERS IN COUNCIL AND DECREES: *Texts in Am. S. Paps. For.*, III. 267-73; *Dwight's Hartford Convention*, 83-86; *Annals of Congress, App.*  
 1803-1805. Regulations of blockade and colonial trade.  
 1806. May 16. Brest to Elbe blockade order.  
       Sept. 25. Order modifying that of May 16.  
       Nov. 21. Berlin Decree: *Annals of Cong.*, 1806-07, 727.  
 1807. Jan. 7, Mar. 12. Order and decree prohibiting neutral coasting trade.  
       Nov. 11. Orders blockading all neutral and allied ports.  
       Dec. 17. Milan decree.

- E. EFFECT OF THE AGGRESSIONS on American commerce.

- II.\* **Jefferson's policy:** *Hildreth*, v. 653-65; 674-86; *Schouler*, II. 133-51; *Morse's Feff.*, 272-76, 286-98.

- A.\* GUNBOAT SYSTEM: *Feff.*, I. 330; v. 42; *Adams' Gall.*, 252-54; *Hildreth*, v. 538, 579, 649, 651; VI. 29-30.

- B. NON-IMPORTATION.

1806. Apr. 18. Conditional act, suspended in December.

- C. NEGOTIATION WITH ENGLAND.

1806. Expiration of Jay treaty.

1807. May. Pinckney's treaty pocketed by the President.



## D. WAR WITH ENGLAND THREATENED.

1807. June 22. Leopard-Chesapeake affair.

Oct. 16. Impressment proclamation.

Oct. 22. Negotiations broken off by Canning.

III.\* **The embargo:** *Schouler*, II. 156-65; *Hildreth*, VI. 35-44.1. Precedents: *See Lect.*

2. The act (Dec. 22, 1807).

3.\* Constitutionality: *Story*, §§ 1184-86; *Von H.*, I. 200-05.

a. Regulation of commerce.

b. War power.

4. Effect: *Von Holst*, I. 205-09.

On England; On France; On the U. S.

Supplementary acts (Jan.-April, 5, 1808).

IV.\* **Enforcement:** *Schouler*, II. 185-94; *Hildreth*, VI. 108-24;  
*Von Holst*, I. 209-13.

1. Unpopularity in New England.

2. Giles Act. (Jan. 9, 1808).

3. Resistance of New England States.

V.\* **Repeal:** *Morse's Jefferson*, 310-20; *Schouler*, II. 194-98; *Hild.*  
VI. 124-36; *Von Holst*, I. 214-25.A. REPEAL CARRIED (Feb. 3, 1809): *Ann. Cong.*, 1334-50.

B. NON-INTERCOURSE ACT (Feb. 26, 1808).

C. CHARGE OF A FEDERAL PLOT.

1809. Jefferson's contemporary account: *Jeff.*, v. 424, 429, 433.1825. Jefferson's later account: *Adams N. E. Fed.*, 131-33.1825. Adams' account: *Adams N. E. Fed.*

1809. Henry's mission.

Extent of Federal plans: *Lodge's Cabot*, 373-480; *Adams N. E. Fed.*, 373-74.

## XXXI. DRIFTING INTO WAR (1809-1812).

I. **Election of 1808:** *Stanwood*, 51-56.

1. Candidates.

Republican caucus: Monroe movement.

Federal candidates.

2. Campaign.

3. The vote: *Map.*



## II. **Review of Jefferson's administration.**

1. Application of his doctrinaire principles. *Cf. Lect.*
2. Finance, revenue, and debt: *Stevens' Gall.*, 206-16, 232-39.
3. Territorial extension: *Cf. Lect.*; *Map.*
4. State of the country in 1809.
5. Foreign policy; condition of affairs.
6. Responsibility of Jefferson: *Adams' Gall.*, 377.
7. Jefferson's character and later life: *Morse's Jeff.*, 316-44.

## III. **Madison's policy:** *Sch.*, II. 279-81; *Stevens' Gall.*, 305-11.

Cabinet.

Influence of new public men.

Quiet in domestic affairs.

## IV. **Foreign complications:** *Gay's Madison*, 283-300.

A.\* FRANCE: *Hild.*, VI. 194, 214-23; *Sch.*, II. 301-17; *Adams' Gallatin*, 419-23.

1808. Apr. 17. Bayonne decree: *Am. S. P. For.*, III. 291.

1810. Mar. 23. Rambouillet decree: *Ibid.* 364; *Dwight*, 156.

Aug. 5. Duke of Cadore's letter: *Ibid.* 387.

5. Secret decree of the Trianon: *Gall.*, II. 198.

1811. Barlow's negotiations: *Hild.*, VI. 249.

B.\* ENGLAND: *Hild.*, VI. 165-77, 183-95, 217, 242-44; *Sch.* II. 281-98.

1809. Apr.-Aug. Erskine treaty.—Non-intercourse renewed.

1810-11. Missions of Rose and Jackson.

1810. Sept. Pinckney's negotiation fails: *Quincy's Life*, 199-204.

1811. May 16. Little Belt affair: *Sch.*, II. 330.

Nov. Battle of Tippecanoe: *Sch.* II. 331-33

C. AMERICAN LEGISLATION: *Hild.*, VI. 196-205, 232-36; *Sch.* II. 291-97; *Adams' Gallatin*, 412-16.

1810. Mar. "Macon's bill No. 1."

May 1. "Macon's bill No. 2:" *S. at L.*, II. 605.

Nov. 1. Proclamation in favor of France.

1811. Mar. 3. Eppe's bill; non-intercourse renewed: *S. at L.*, II. 651.





## V. Situation of the U. S.

### 1. DEFENSIVE.

1811. Nov. 29. Report of the Com. on for. aff.: *Niles*, I. 252.

1812. Jan.—Mar. Defensive acts: *Hild.*, VI. 295, 308.

### 2. FINANCIAL.

1811. Bank re-charter refused: *Hildreth*, VI. 228.

1812. Mar.—July. Financial measures: *Adams' Gall.*, 446—55.

### 3. COMMERCIAL.

Effect of the passive policy.

### 4. RELATIONS WITH THE STATES.

1810.\* Olmstead case: *Hildreth*, VI. 155—65.

### 5. SECTIONAL FEELING.

1811. Admission of Louisiana: *Quincy's Life*, 205—15.

1812. Mar. Henry docum'ts: *Deb.*, IV. 506; *Gay's Mad.*, 308—15.

## XXXII. WAR OF 1812 (1812—1815).

I. **Outbreak:** *Hild.*, VI. 303—07, 313—20; *Gay's Mad.*, 301—08, 315—20.

1. RESPONSIBILITY: *Von H.*, I. 226—42; *Sumner's Jackson*, 26—30.

Influence of the young Republicans.

1812. Madison obliged to yield.

Position of the Federalists.

2. WHO WAS THE ENEMY?

Proposition for triangular war: *Jeff.*, VI. 57; *Mad.* II, 335.

3. PRETEXT.

1812. May 30. Great Britain refuses concessions.

4. DECLARATION.

1812. Apr. Ninety-day embargo. Navy and militia acts.

June 1. War message: *States. Manual*, 263.

18. Declaratory act: *Deb.*, IV. 418, 554—60.

23. Orders in Council revoked: *Hild.*, VI. 346—53.

II. **Election of 1812:** *Stanwood*, 57—63.

1. Candidates.

May. Republican caucus: Madison.

May. Sept. Clinton put up by peace Republicans and Federalists.

2. Campaign.

3. The vote: *Map.*



- III. **War on the waters:** *Roosevelt's Naval War of 1812; Hildreth*, VI. 364-71, 397-400, 418-31, 434-36.
1812. Strength of the navy.
- 1812-13. Brilliant naval victories.
1813. Chesapeake taken. Blockades.
- Sept. Perry's victory on Lake Erie.
1814. Fleet swept from the ocean: Macdon'h's victory.
- IV. **War on the land:** *Sch.* II. 357-58, 382-98, 406-13.
1812. Failure of Canadian campaigns.
1813. Failure of Canadian campaigns.  
British fleets on the Virginia coast.
1814. July. Brown's Niagara campaign.  
Aug. Sack of Washington.
- 1813-14. Creek war: *Sumner's Jackson*, 30-38.
1815. Jan. 8. Battle of New Orleans: *Cable's Creoles*, 185-203.
- V. **Peace of Ghent:** *Schouler*, II. 431-38; *Hildreth*, VI. 565-69.
- A. PRELIMINARIES: *Adams' Gallatin*, 478-88.
- 1812-13. Russian mediation.
1813. May. Gallatin-Bayard mission.
1814. Feb. 8. Clay-Russell-Bayard-Adams mission.
- B. QUESTIONS TO BE SETTLED: *Morse's F. Q. Adams*, 75-98;  
*Steven's Gallatin*, 312-39.  
Peace.—Territory.—Impressment (abandoned June, 1814).  
Indians.—Search of American vessels.—Fisheries.  
Opening of the Mississippi.—Boundaries.—Slave trade.  
Commercial restrictions.
- C. TREATY. 1814. Dec. 24: *U. S. Treaties*, 338-44.
- VI. **Effect of the war:** *Tucker's U. S.*, III. 190-93.
1. "Honorable peace": *Von Holst*, I. 273-75.
  2. On national feeling: *Sumner's Jackson*, 42-43.  
Navy.—New Orleans.—Patriotism.
  3. On parties.  
Military reputations.  
Influence of young men.  
Ruin of Federalists: *Von Holst*, I. 275-77.
  4. On Constitutional agitation.
  5. Financial: *Sumner's Jackson* 40-42.  
Revenue.—Expenses.—Debt: *Diagram*.



### XXXIII. INTERNAL OPPOSITION TO THE WAR (1812-1815).

#### I. **The Militia question.**

##### 1. ORGANIZATION.

1811-12. Debates on classification.

1812. Feb. 6. Act on volunteers.

April 10. Detachment act.

##### 2. OPPOSITION OF THE STATES: *Snow*, 110-112; *Dwight*, 233-57.

1812. April 15. Secretary of War orders detachment.

June 12. Order permitting Dearborn to summon

1812-13. Action of the New England States.

1812. Nov. 4. Madison's message: *S. M.*, 306.

1813. Feb. 28. Giles' report: *Dwight*, 271.

##### 3\* CONSTITUTIONAL QUESTION: *Story*, §§ 1204-10.

Question of duty of States.

Question of the judge of the exigency.

Question of delegating powers.

Case of *Martin vs. Mott* (1827): 12 *Wheaton*, 19.

#### II.\* **Hartford Convention:** *Von H.*, I. 243-72; *Adams' N. E. Fed.*, 245.

##### 1. OCCASION: *Hildreth*, VI. 465-77.

Militia.—West India trade.—Election.—Embargo.

##### 2. POSITION OF MASSACHUSETTS: *Schouler*, II. 416-22.

1812-14. Addresses and violent resolutions.

##### 3. THE CALL: *Dwight's Hartford Convention*, 335-51

1814. Feb. 18. Lloyd's report on "interposition": *Niles*, VI. 4.

Oct. 8. Call sent out by Mass.: *Niles*, VII. 149, 167.

Action of Connecticut, and Rhode Island.

Action of New Hampshire, and Vermont.

Instructions of delegates: *Lodge's Cabot*, 505.

##### 4. THE MEETING: *Dwight*, 399-411; *Hild.*, VI. 545-53.

1814. Dec. 15. Assembly at Hartford.

Anxiety of the government.

1815. Jan. 5. "Report" of the convention: *Niles*, VII. 305.

Feb. Commissioners sent to Washington.





## 5. WAS THERE A PLOT FOR SECESSION?

Testimony of the journal of the conv'tion: *Dwight*, 383-98.

Testimony of the chief actors: *Adams' N. E. Fed.*, 387-425.

Testimony of the administration.

Comparison with Virginia and Ky. resolutions: *Cf. Lect.*

III. **Martial law.**

I.\* LOUALLIER CASE: *Ingersoll, Second War*, IV. 119-23, 246-53, 260; *Sumner's Jackson*, 44-48.

1814. Dec. 13. Jackson declares martial law.

Mar. 5-14. Court-martial of Louallier.

27. Jackson fined: *Niles*, VIII. 246-50.

2. CONSTITUTIONAL PRINCIPLES: *Hurd's Hab. Corp.*, 127 *u*; *N. A. Rev.* XCIII. 486, 501-04.

When it may be declared: *Jeff. Corr.*, IV. 155.

Effect on civil law.

Judge of the exigency.

## XXXIV. "ERA OF GOOD FEELING" (1816-1822).

I. **Election of 1816:** *Stanwood*, 64-69.

1. Candidates.

2. Campaign.

3. The vote: *Map*.

II.\* **Monroe's policy:** *Gilman's Monroe*, 125-40; *Schouler*, II. 458-63.

1817. Mar. 4. Inaugural: *Statesmen's Manual*, 391.

Character and public services.

Cabinet: *Hildreth*, VI. 622.

Union of all parties: *Morse's Adams*, 102-08

Personal followings.

III.\* **The bank:** *Bolles' Financial Hist.*, II. 278-82, 317-29; *Sumner's Am. Currency*, 68-79; *Von Holst*, I. 382-88.

1813. 1. Charter bill voted down: *Hildreth*, VI. 463.

1814. 2. Calhoun's bill: *Benton's Debates*, V. 171.

1814. Campbell's finance: *Cf. Lect.*

Commercial crises.



1815. Jan. 3. Dallas' bill vetoed: *S. M.*, I. 323.  
 Dec. 4. Dallas' new project: *Niles*, IX. 261, 366.  
 1816. Apr. 10. Bank act.  
 1817. Feb. 20. Resolution on paper money.  
 1819. Feb. 1. *Scire facias* resolution. *Hildreth*, VI. 650-54.

IV.\* **Tariff of 1816:** *Snow*, 118-24; *Von Holst*, I. 396-400; *Bolles*, II. 359-74 (*Protectionist view*); *Hildreth*, VI. 583-89.

- 1789-1815. Tariff acts.  
 1806-1812. Protection suggested.  
 1812-1815. Effect of the war on manuf's: *Bolles*, II. 284-93.  
 1815. Dec. 5. Madison's recommendation: *S. M.* 331.  
 1816. Feb. 12. Dallas' report.  
 Mar. Debate on the tariff.  
 Apr. Tariff act: *Stat. at Large*, III. 310.  
 1818. Apr. 20. Act altering duties on iron.

V.\* **Internal improvements—Constitutional question:** *Von H.*, I. 388-96; *Lalor's Cyclopædia*, II. 569-70; *Cf. Lect.*

1816. Dec. 3. Madison's recommendation: *S. M.*, I. 335.  
 23. Calhoun's Bonus bill: *Calhoun*, II. 186-97.  
 1817. Feb. Const'l question of post-roads: *Kent*, I. 267-69.  
 Const'l question of regulating commerce.  
 Const'l question of appropriations: *Story*, § 1267.  
 Mar. 3. Madison's veto: *Debates*, v. 721.  
 Dec. 2. Monroe's message, disapproving: *S. M.*, I. 403.  
 1818. Mar. 14. House resolutions asserting the right of appropriation.  
 1822. Cumberland-road bill.  
 May 4. Monroe's veto: *S. M.*, I. 463.  
 24. Madison's "views": *Eliot*, IV. 525.  
 Appropriations up to 1822: *Diagram*.

XXXV. MONROE'S FOREIGN POLICY (1815-1821).

I. **England.**

1815. July 3. Commercial convention: *U. S. Treaties*, 344-47.  
 1818. Oct. 20. Boundary convention: *U. S. Treaties*, 350-52.  
 1822. Arbitration for slaves: *U. S. Treaties*, 355-62.  
 1816-20. Navigation acts: *Lalor's Cyclopædia*, II. 974.



II. **France.**

1815. Question of claims.

III. **Spain — West Florida controversy :** *Hildreth*, vi. 223-28, 310.

The question at issue : *See Lect. ; Map.*

1803. Spain left in occupation : *Sumner's Jackson*, 20.

1808. Official relations broken off.

1810. Effect of the revolution.

Oct. 27. Proclamation for occupation : *Schouler*, ii. 312.

1811. Jan. 15. Joint resolution for possession : *Hildreth*, vi. 225.

1812. Annexation as far as the Pearl.

1813. Annexation as far as the Perdido : *Von H.*, i. 336.

IV. **Spain — East Florida question :** *Sumner's Jackson*, 49-72.

## I. ATTEMPT TO NEGOTIATE.

1805-06. Two-million appropriation : *Adams' Rand.* 161-73.

## 2. ATTEMPT TO OCCUPY BY FORCE.

1811. Jan. 15. Act for temporary occupation : *Schouler*, ii. 312.

1812. House bill for permanent occupation : *Hildreth*,  
vi. 311.

Aug. Invasion by Georgia troops : *Hildreth*, vi. 374-75.

1813. May. Order for withdrawal.

1814. Jackson attacks the British in Pensacola : *Hild.*,  
vi. 521, 539.

3\* JACKSON'S INVASION : *Sumner's Jackson*, 49-67.

1816. Negro fort destroyed. Seminole war begun :  
*Von Holst*, i. 337.

1818. Ap.-May. St. Marks and Pensacola occupied : *Hild.*, vi. 624,  
646.

Apr. Arbuthnot and Ambrister cases.

Question of responsibility.

Question of court-martial : *Von Holst's Calhoun*,  
88-93.

A.\* SPAIN — TEXAS QUESTION : *Von Holst*, ii 548-58.

Ancient boundary disputes.

1803. Boundary between Mexico and Louisiana : *Adams' Mem.*,  
iv. 220-21.

1806. Wilkinson's temporary agreement : *Hildreth*, v. 611.

1808. Revolt of the Spanish colonies.

Favorable juncture for negotiations.



V.\* **Treaty of 1819:** *Morse's F. Q. Adams*, 109 – 28.

A. QUESTIONS TO BE SETTLED.

Relations with revolted colonies.

Boundaries.

Purchase of Florida.

Claims.

B. NEGOTIATIONS: *Hildreth*, VI. 647.

C. TREATY (Feb. 22, 1819): *U. S. Treaties*, 685 – 94.

D. RATIFICATION BY SPAIN (Oct. 20. 1820).

E. EFFECT.

On Spanish influence.

On the far West.

On slavery.

XXXVI. SLAVERY AS A NATIONAL INSTITUTION  
(1800 – 1820).

I. **Growth of slavery.**

1. Importations.

2. Natural increase.

3. Effect on the population of the sections: *Diagram*.

4. Effect on the wealth of the sections.

5. Effect on the civilization of the sections.

6. Faint hope of eradicating it.

II. **Regulation of the slave trade.**

1803. Feb. 28. Act seconding State acts; *S. at L.*, II. 205.

1804 – 06. Petitions and Debates: *Adams' Mem.*, I. 339 – 78.

1807. Mar. 2. Slave-trade prohibited: *S. at L.*, II. 426.

a. Question of internal slave-trade: *Fay*,  
275 – 76.

b. Question of the punishment of traders.

c. Question of the disposition of captured  
blacks.

1816. Randolph's inquiry into the trade in D. C.:  
*Annals of Congress*, III 15.

1817. Amelia Island station broken up: *Debates*, VI. 19.

Jan. 12. Burrill's resolution: *Debates*, VI. 11.





1819. Mar. 3. Additional act: *S. at L.*, III. 532.  
 1820. May 15. Slave-trade declared piracy: *S. at L.*, III. 600.  
 1820. State of the trade: *Fay*, 276-82.

III.\* **Colonization:** *Von Holst*, I. 329-33.

1801. Nov. Jefferson's scheme: *Jefferson*, IV. 419.  
 1816. Dec. 28. Society formed.  
 1817. Jan.-Feb. Action of Congress.  
 1820. Operations began.  
 Effect: *Fay, Misc. Writings*, 78-80.

IV. **Abolition.**

- 1789-1832. Faint action of the churches.  
 Effect of other questions.  
 Lack of sectional interest.  
 Lack of philanthropic spirit.

V. **Slavery in the Territories.**

A. STATUS IN CESSIONS.

1790. North Carolina cession: *Stat. at Large*, I. 108-09.  
 1790. Ordinance for Territory south of the Ohio.  
 1798. Mississippi act: *Statutes at Large*, I. 549.  
 1801. District of Columbia.  
 1802. Georgia cession.  
 1806-1807. Indiana petitions: *Greeley*, I. 52.

B. STATUS IN NEW TERRITORY.

1803. Louisiana cession.  
 1819. Florida cession.

C. EQUILIBRIUM OF THE SECTIONS.

- Population compared: *Diagram*.  
 Area compared: *Diagram*.  
 1814. Suggestion of division.  
 1800-1819. Alternate admission of States: *Map*.

D.\* ARKANSAS DEBATE: *Von Holst*, I. 372-74; *Greeley*, I. 75.

1819. Bill for the erection of the Territory.  
 Feb. 17. Suggestion of a compromise line: *Bent's Abr.*,  
 VI. 359, 363.  
 Taylor's prohibitory amendment: *Bent's Abr.*,  
 VI. 366.  
 Taylor's modified (36° 30') amendment: *Abr.*,  
 VI. 366.  
 Oct. 2. Territorial act: no limitation: *S. at L.*, III. 493.



## XXXVII. THE MISSOURI COMPROMISES (1818-1821 .

I.\* **First Missouri debate:** *Hild.*, vi. 661-76; *Tucker's U. S.*,  
III. 255-57.

1812. June 4. Missouri territory formed. *S. at L.*, II. 743.  
 1818. Apr. First admission bill; no action.  
       Dec. 3. Admission of Illinois.  
 1819. Feb. 13. Second admission bill (House).  
           15. Tallmadge's amendment: prohibition and eman-  
               cipation: *Benton's Abridgement*, vi. 334.  
           27. Senate strikes out the amendment.  
       Mar. 3. Adjournment without action.  
               Excited public feeling.  
               Action of legislatures.  
       Dec. 14. Admission of Alabama.

II.\* **Second Missouri debate:** *Hildreth*, vi. 682-91; *Greeley*,  
I. 75-80.

1819. Dec. 30. 1. MAINE BILL passes the House.  
 1820. Jan. 2. AMEND'T COUPLING MISSOURI offered in  
               Senate.  
       Feb. 1. Roberts' prohibitory amendment lost: *Deb.*,  
               vi. 434.  
           16. Coupling amendment carried: *Deb.*, vi. 450.  
           17. Trimble's amend't (line west of Missouri and  
               Arkansas) lost: *Deb.*, vi. 451.  
           17. Thomas' amend't (basis of later compromise)  
               accepted: *Deb.*, vi. 451.  
           23. House disagrees to Senate amendments:  
               *Deb.*, vi. 557.  
       Jan 24. 3. MISSOURI BILL debated in the House: *Deb.*,  
               vi. 476.  
           26. Storrs' amendment (38° and fugitives) lost:  
               *Deb.*, vi. 477-79.  
           27. Taylor's amendment (prohibition and fugi-  
               tives): *Deb.*, vi. 479.



- Feb. 29. Storrs' "recommendatory" amendment lost :  
*Deb.*, VI. 562-64.
29. Taylor's amendment accepted : *Deb.*, VI. 564.
- Mar. 1. 4. DEAD-LOCK : House passes the bill : *A. C.*,  
 1572.

### III.\* **The Great Compromise:** *Tucker's U. S.*, 283-87.

1820. 1. WHO PROPOSED IT?

2.\* ITS TERMS.

1820. Mar. 2. House withdraws restrictions from Missouri  
 bill : *Deb.*, VI. 570 ; *A. C.*, 1587.
2. House accepts 36° 30' clause : *Debates*, VI.  
 570 ; *A. C.*, 1587.
2. Senate inserts 36° 30' : *Deb.*, VI. 453 ; *A. C.*,  
 471.
3. Senate withdraws Missouri amendment to  
 Maine bill : *Deb.*, VI. 454 ; *Ann. Cong.*, 471.
3. MONROE'S SCRUPLES.
- a. May Congress prohibit slavery in the Terri-  
 tories?
- b. Does "forever" mean "for ever"?
- c. Is the act constitutional?

1820. Mar. 15. 4. ACT ADMITTING MISSOURI.

### VI.\* **Second compromise:** *Hild.*, VI. 703, 706-12.

A. 1820. Nov. 23. STATE CONSTITUTION submitted to Congress :  
*Niles Register*, XIX. 51.

1. Limitations on power of legislature to interfere with  
 slavery.

2. Prohibition of entrance of free negroes.

B. CONSTITUTIONAL QUESTION OF CITIZENSHIP.

1. May free negroes be citizens?

2. May Congress compel a State to observe the laws of an-  
 other State?

C. QUESTION OF THE ELECTORAL VOTE.

D. CLAY'S COMPROMISE.

1820. Dec. 11. Senate accepts the Constitution : *Ann. Cong.*, 117.

Dec. 13. House refuses to accept the constitution : *Ann.*  
*of Cong.*, 642.





1821. Feb. 22. Clay's proposition for a committee : *Deb.*, vii. 126;  
*Ann. Cong.*, 1219.  
 26. House accepts the "citizen of the States" clause ;  
*Debates*, vii. 129.  
 27. Senate accepts it : *Ann. Cong.*, 388.

## XXXVIII. DISCUSSION OF THE MISSOURI COMPROMISE (1820 - 1821).

### I. Was it expedient?

- A.\* DANGER TO THE UNION : *Von Holst*, i. 378.  
 Jefferson's opinion : *Jeff.*, vii. 148, 158, 179, 204, 211.  
 J. Q. Adams' opinion : *Adams' Memoirs*, iv. 529 - 33 ; *Morse's J. Q. Adams*, 120 - 23.  
 Monroe's opinion : *Gilman's Monroe*, 145.  
 Calhoun's opinion : *Von Holst, Calhoun*, 293.  
 Benton's opinion : *Thirty Years' View*, i. 8 - 10.
- B. DANGERS OF POSTPONEMENT.
1. Character of the population of Missouri.
  2. Influence on the Northwest.
  3. Aggravation of the slavery contest.
- C. DANGERS OF RESTRICTING STATES.
1. States-rights.

### II. Was it just?

- A. THE NORTHERN SIDE.
1. All men "free and equal."
  2. Injury to Missouri and the Northwest.
  3. Discouragement of free labor.
  4. Increase of slave population.
  5. Responsibility for slavery.
- B. THE SOUTHERN SIDE.
1. Common territory.
  2. Common protection.
  3. Unequal division by the compromise.



III. **Was it constitutional?** *Von Holst*, I. 359-70; *Tucker's U. S.*, III. 269-82.

A. QUESTIONS AT ISSUE.

1. Could Congress prevent the introduction of slavery?
2. Are Territories property?
3. Could Congress abolish slavery where it had existed?
4. Did the treaty of 1803 secure slavery?
5. Could Congress bind its successors?
6. Could Congress bind States?

B. ARGUMENTS FOR RESTRICTION.

1. Expectations of the "fathers of the Constitution."
2. Precedent of Northwest Ordinance.
3. Discretion in admitting new States
4. Precedents of limitations on other States.
5. Power to regulate commerce.
6. Guarantee of a republican form of government.

C. ARGUMENTS AGAINST RESTRICTION.

1. Sovereignty of the States.
2. Status of new States.
3. "Migration or importation."
4. Force of the treaty of 1803.

VI. **Effect.**

On Missouri.

On the Territories.

On the South.

On the North.

On the slavery contest.

On the development of the nation: *Adams' Mem.*, v. 3-13.

XXXIX. CONSTITUTIONAL DECISIONS (1800-1824).

I. **Jurisdiction arrested.** *Sumner's Jackson*, 130.

A. 1816. MARTIN *vs.* HUNTER'S LESSEE: I *Wheaton*, 304.

1. May the Supreme Court declare a State law unconstitutional?
2. May the Supreme Court pass on the validity of a treaty?



B.\* 1821. COHENS *vs.* VIRGINIA: *Van Santvoord's Chief Justices*, 466–69; *Magruder's Marshall*, 198–201.

Text of decision: *Marshall*, 221–61; 6 *Wheaton*, 264.

1.\* Has the Supreme Court jurisdiction? *Story*, §§ 1703–15.

a. Doctrine of jurisdiction where a State is a party.

b. Doctrine of jurisdiction where the Constitution is involved.

c. Doctrine of the writ of error.

2.\* Is the operation of a special act of Congress for the District of Columbia confined to the D. C.? *Marsh.*, 256–61.

## II. **Powers of Congress maintained:** *Sumner's Jackson*, 128.

A.\* 1819. McCULLOUGH *vs.* MARYLAND: *Van Santvoord*, 459–65; *Magruder's Marshall*, 194–98.

Text of decision: *Marshall*, 160–87; 4 *Wheaton*, 316.

1.\* Has Congress power to create corporations? *Story*, §§ 1257–61.

a. Implied powers.

b. Territorial governments.

c. Precedent of the District of Columbia.

2.\* Has Congress power to incorporate a bank? *Story*, §§ 1262–66.

a. Necessary and proper clause: *Lect.*

b. Clause voted down in the Convention.

3.\* Can a State tax the bank? *Kent*, 1. 398–401.

a. Doctrine of concurrent taxation.

b. Doctrine of public corporations.

B. 1824. OSBORN ET AL. *vs.* BANK OF THE U. S.: *Van Sant.*, 465.

Text of decision: *Marshall*, 315–42; 9 *Wheaton*, 738.

1. May the U. S. protect the Bank against a State? *Marshall*, 324–33.

2. Is the Bank a public institution? *Marshall*, 334–40.

C. LEGAL TENDER CASES: *Knox*, *U. S. Notes*.

1869 a. *Hepburn vs. Griswold*: 8 *Wallace*, 603–40.

1870. b. Legal tender case: 12 *Wallace*, 457.

1884. c. *Juilliard vs. Greenman*: *Knox*, *App.*



### III. **Limitation on the powers of the States:** *Sumner's Jackson*, 128–30.

- A. 1809. *UNITED STATES vs. JUDGE PETERS*: 5 *Cranch*, 115–41.
  - 1. May a State Legislature annul a judgment of a U. S. Court? *Marshall*, 120.
- B. 1810. *FLETCHER vs. PECK*: *Van Santvoord*, 411–13; *Magruder's Marshall*, 186–90.
  - 1. May a State annul its own grants? *Marshall*, 131–38.
- C. 1819. *STURGES vs. CROWINSHIELD*.
  - 1. May a State release a citizen from a private contract? *Marshall*, 155–58.
- D.\* 1819. *DARTMOUTH COLLEGE CASE*: *Van Santvoord*, 450–55; *Lodge's Webster*, 72–98; *Magruder's Marshall*, 190–93.
 

Text of decision: *Marshall*, 188–220; 4 *Wheaton*, 518.

  - 1.\* Are charters contracts? *Story*, §§ 1392–95; *Kent*, 360–93.
    - a. Doctrine of private corporations.
    - b. Doctrine of the intent of the framers of the Constitution.
  - 2.\* Is the New Hampshire law a violation of the charter? *Kent*, 393.
    - a. Doctrine of the effect of revolution.
    - b. Doctrine of the supremacy of the Constitution.
- E. 1824. *GIBBONS vs. OGDEN*: 9 *Wheaton*, 1.; *Marshall*, 287–304
  - 1. May a State grant monopolies of navigation?
    - a. Commerce clause
    - b. Preference to ports.

### IV. **Effect of the decisions:** *Magruder's Marshall*, 161–201.

Connection with political history: *Sumner's Jackson*, 130–32.

Objections of the Jeffersonians.

Effect on legislation.

Effect on party divisions.

Effect on the judiciary.

Effect on the development of the Constitution.





## XL. AMERICAN POLICY OF EUROPEAN STATES (1492-1823).

### I. Colonial policy and changes in America.

- 1473. Spanish.
- 1500-1825. Portuguese.
- 1604-1763. French.
- 1607-1775. English.
- 1613-1664. Dutch : *Lodge's Colonies*, 285-97.
- 1637-1655. Swedish : *Lodge's Colonies*, 206-07.
- 1714-1867. Russian.
- 1789. Distribution of American colonies : *Map*.  
North America.— West Indies.— South America.

### II. Revolt of the Spanish Colonies.

- A. 1799. BRITISH SCHEMES for fomenting : *Castlereagh's Memoirs*, VII. 2, 26.
- 1797-98. Miranda project : *Cf. Lect.*
- 1806-07. British attack on Buenos Ayres : *Gervinus*, VI. 71-79.
- B. FIRST OPEN REVOLT : *Dyer's Mod. Europe*, v. 370-71.
- 1808. Effect of the French conquest.
- 1810. Insurrections in S. America, Mexico, West Florida, etc.
- 1810-14. British attempt to negotiate : *Gervinus*, III. 285 ; VI. 161, 167 ; IX. 259.
- 1814-17. Restored Bourbons subdue the colonies : *Gerv.* VI. 284, 153.
- C. THE SECOND REVOLT.
- 1814. Tyranny of the Bourbons.
- 1816-21. Declaration of Independence ; Chili, Venezuela, Mexico, etc. : *Eliot, Diplomatic Code*, I. 18.  
Bolivar's life and influence.
- D. SPAIN ASKS AID OF THE POWERS.
- 1815. Sept. 26. The Holy Alliance : *Hertslet, Map of Europe by Treaty*, I. 317.
- 1815-17. Accessions of other powers.
- 1818. Spain asks for foreign aid : *Gervinus*, III. 247.
- 1819. Preparations for reducing the colonies.
- 1820. Jan. 1. Revolution in Spain.
- 1820-25. Independence in North and South America.



E. CUBA THREATENED: *Von Holst*, I. 141 n.

1819. British schemes.

1819 24. French designs.

The U. S. covets it: *Adams' Memoirs*, v. 271, 321.

### III. Schemes of foreign intervention.

#### A. BY GENERAL EUROPEAN CONGRESSES.

1818. British offer of mediation: *Rush*, I. 184-86, 273 74, 295-98.

1818. Congress of Aix-la-Chapelle.

1820. Spanish and Neapolitan revolutions.

1820-21. Congresses of Troppau and Laybach.

1822. Congress of Verona.

#### B. CHECK GIVEN BY THE U. S.

1818. Clay's resolution for recognizing the independence of the colonies: *Deb.*, VI. 138-64.

1821. Clay's resolution renewed: *Deb.*, VII. 93, 99.

1822. May 4. Act appropriating for diplomatic expenses.

Dec. Formal recognition of Colombia.

Effect on Europe: *Gervinus*, x. 132.

#### C. BY A SPECIAL CONGRESS ON AMERICAN AFFAIRS.

Doctrine of intervention.

1823. Intervention in Spain.

Aug. Scheme for a Congress broached: *Rush*, II. 382.

Oct. French scheme for dependent monarchies: *Rush*, II. 410-14.

Dec. Spain asks for a Congress: *Rush*, II. 438.

1824. May. England prevents a conference: *Viel Castel*, XIII. 91; *Gervinus*, x. 141-47.

### IV. British proposition for a joint declaration.

#### A. PROPOSAL TO RUSH: *Knight's England*, VIII. 186

1823. Aug. 20. Canning's note, formulating principles: *Rush's Res.*, II. 376-77.

Sept. 18. Rush insists on a previous recognition: *Rush*, II. 388-402.

#### B. REASON FOR THE PROPOSAL.

Commercial interests of Great Britain: *Gervinus*, x. 134.

Political complications in Europe.

Dislike of intervention: *Gervinus*, IX. 239.



## C. OBJECTIONS TO THE PROPOSAL.

Traditional policy.

Fear of British influence.

V. **Russian complications.**

## A. CONNECTION WITH INTERVENTION.

1823. Fear of revolution.

Friendship for Spain.

Aug. Question of recognizing the Spanish-American States: *Adams' Mem.*, VI. 182, 200, 211.

## B. QUESTION OF COLONIZATION.

1790. Oct. 28. Nootka Sound Convention: *Greenhow's Oregon*.1821. Jan. 30. Imperial Ukase on the Northwest coast: *Am. State Paps.*, For. v.July 17. Adams' declaration on colonization: *Adams' Mem.*, VI. 163.

## XLI. THE MONROE DOCTRINE (1789 – 1824).

I. **Interest of the United States.**

## A. COMMERCIAL.

South American trade.

Settled trade.

## B. MILITARY.

Fear of invasion.

## C SYMPATHY WITH REPUBLICS.

Imitation of American forms.

1814 – 18. Filibustering expeditions.

## D. QUARRELS WITH SPAIN.

Boundary questions.

Acquirement of territory.

Cuba.

E \* TRADITIONAL FOREIGN POLICY: *Gilman's Monroe*, 162 – 66.

## I. Non-interference in European affairs.

1793. Washington's neutral policy: *Cf. Lect.*1796. Washington's advice: *Statesmen's Man.*, I. 77.

1798. John Adams' policy.





- 1801-09. Jefferson's opinion and policy : *Cf. Lect.*  
 1812-15. Madison's policy : *Adams' Mem.*, I. 480, 573 ; *Cf. Lect.*  
 1820. J. Q. Adams' declaration : *Ad. Mem.*, IV. 182 ; V. 152.  
     2. Non-interference of European powers in America.  
 1787. Hamilton's prediction : *Federalist (Dawson's ed.) No.*  
     XI. 68.  
 1803. Effect of the Louisiana purchase : *Cf. Lect.*  
 1815. Effect of the War of 1812 : *Cf. Lect.*  
     3. Further colonization to be prevented.  
 1823. July. Adams' declaration : *Adams' Mem.*, VI. 193.

II \* **Formal declaration considered:** *Gilman's Monroe*, 167-74.

1823. Oct. 24. Jefferson's advice : *Jeff.*, VII. 315-17.  
     30. Madison's advice : *Madison*, III. 339-40.  
     Nov. Calhoun's advice : *Adams' Mem.*, VI. 177, 189, 206.  
     Wirt's advice : *Adams' Mem.*, VI. 203-04.  
     Adams' advice : *Adams' Mem.*, VI. 177-79, 185,  
     195, 197.  
     Monroe's first draft : *Adams' Mem.*, VI. 194.

III. **Form of the declaration:** *Gilman's Monroe*, 156-62 ; *Von Holst*, I. 419-21.

1823. Dec. 2. Text in *Statesmen's Man.*, I ; *Deb.*  
 1824. Dec. 7. Text in *Statesmen's Man.* ; *Deb.*  
     1.\* Colonization clause : *Statesmen's Man.*, 452-53.  
     On Russia.— On colonization.  
     2.\* Intervention clause : *Statesmen's Man.*, 460.  
     On intervention in Spain.  
     On interference with Spanish America.  
     On the American policy toward Europe.  
     3. Political system clauses : *Statesmen's Man.*, 461, 468, 476,  
     On European system in America.  
     On the success of the Spanish American States.

IV. **Exposition of the declaration.**

1. Colonization.  
     Reason for the clause.  
     Not a claim to the whole continent.  
     Not a bar to colonies established by consent of American  
     States : *Jeff.*, VII. 315-17 ; *Dana's Wheaton*, 103.



## 2. Political system.

Not a disapproval of monarchy.

A disapproval of the principle of legitimacy.

Not a disapproval of dependent States.

A disapproval of coercing independent States.

Not a disapproval of the transfer of colonies: *Dana's Wheaton*, 110-11.

## 3. Intervention.

Temporary and effectual.

V. **Effect of the declaration.**

## A. ON SOUTH AMERICA.

Independence assured: *Gervinus*, x. 139.Did the U. S. pledge itself to protect? *Ad. Mem.*, vi. 202-08.

## B. ON EUROPE.

1824. Joint intervention abandoned.

Last attempt of reconquest by Spain.

1825. Jan. 1. Recognition by England: *Knight's England*,  
viii. 182-86.C. ON THE UNITED STATES: *Cf. Lect.*

Effect of an executive declaration.

The opinion of Congress never expressed.

1824. Jan. 29. Clay's resolution: *Deb.*, vii. 650-52.XLII. HISTORICAL DEVELOPMENT OF THE MONROE  
DOCTRINE (1823-1885).I. **Panama Congress.**

## A. INITIATIVE OF SPANISH AMERICAN STATES.

1822-23. Bolivar's project of a Latin union: *Gerv.*, x. 21,  
144.1824. Dec. 7. Circular to Spanish Am. Powers: *Gerv.*, x. 146.1823. Nov. 23. United States informally invited: *Deb. in Cong.*  
(1825-26), *App.*, 44-45.

## B. ACTION OF THE EXECUTIVE.

1825. Nov. 30. Invitation accepted.



1825-26. Adams' special messages (Dec. 25, Feb. 2, Mar. 15, Mar. 26).

1826. Mar. 26. Senate confirms nomination of envoys.

C.\* OBJECTION IN THE HOUSE: *Benton's View*, I. 65-69; *Van Holst*, I. 424-32.

1. Personal opposition to Adams.

2. Hayti question.

3. Cuba question.

4. Constitutional question of diplomatic powers: *Deb.*, VIII. 482-94, 534-51.

5. Proviso voted down: *Annals of Cong.*, 2514.

Apr. 22. Appropriation act: *Stat. at Large*, IV. 158

D. THE MEETING: *Gervinus*, X. 147-49.

1826. May 8. Instructions to the envoys: *Niles' Reg.*, XXXVI. 77.

June. Spanish-American delegates assemble at Panama.  
Adjournment without action: failure of the scheme.

E.\* CONSTRUCTION OF THE MONROE DOCTRINE.

1825. Dec. 6. Adams' construction of the "pledge": *S. M.*, II. 582.

1826. Webster's construction of "colonization": *Web.*, III. 178.

Buchanan's amendment on power of envoys.

## II. Extension of United States territory.

A.\* OREGON QUESTION: *Cf. Lect.*

1824. Agreement with Russia.

1845. Mar., Dec. Polk's anti-colonization declarations: *S. M.*, 1445.

1846. Ground abandoned in Treaty of Washington.

B. ANNEXATION OF TEXAS.

1836-44. Jealousy of Great Britain.

1845. Dec. Polk's anti-colonization declaration: *S. M.*, 1449, 1458.

C. MEXICAN WAR: *Cf. Lect.*

1847. Development of the "manifest destiny" idea.

D. ALASKA PURCHASE.

1867. Russia withdraws from the Western hemisphere.



### III. Central American questions.

#### A. YUCATAN QUESTION: *Von Holst*, III. 438-53.

1848. Sovereignty offered to the United States.  
 Apr. 29. Polk's "European system" message: *S. M.*,  
 1737-38.  
 May 4. Bill for temporary occupation: *Deb.*, XVI. 187-  
 204.  
 1852. Yucatan returns to Mexico: *Dana's Wheaton*,  
 104.

#### B.\* ISTHMUS QUESTION: *Nation*, XXXIII. 348 (Nov., 1881).

1846. Dec. 12. Guaranty treaty with New Grenada.  
 1850. Apr. 19. Clayton-Bulwer treaty: *U. S. Treaties*, 377-80.  
 a. Neutrality of Canal.  
 b. Abandonment of Mosquito claims.  
 c. "General principle" clause.

#### C. BALIZE QUESTION.

- 1642-1670. British buccaneering settlements.  
 1670. Godolphin treaty permitting British occupation.  
 1790. British act recognizing the settlements.  
 British claim to Mosquito Coast protectorate.  
 1850. Excepted from Clayton-Bulwer treaty.  
 1850-56. United States protest against fortifications.  
 1860. Dec. 3. Buchanan's declaration: "satisfactory settlement."  
 1862. Created a British colony.

#### D. SAN JUAN QUESTION.

1848. Port seized by the British.  
 1855. United States protest.  
 1860. Restoration to Nicaragua.

### IV. West Indian question.

#### A.\* CUBA: *Greeley*, I. 268-76; *Von Holst*, III. 440-41.

1848. Offer of \$100,000,000.  
 1849. White's filibustering expeditions topped by Tay-  
 lor: *S. M.*, III. 1846.  
 1851. Lopez filibustering expedition.  
 1852. Great Britain and France propose joint guaranty.  
 July 8. Everett's dispatch on the "American question."  
 1854. Ostend Manifesto on "self-preservation."





B.\* SAN DOMINGO: *Am. Ann. Cycl.*, 1870, p. 675.

1869. Nov. 29. Treaty of annexation to the United States.

1870. May 31. Grant's message on extension of the Monroe doctrine.

Treaty lost in the Senate.

C. SAINT THOMAS.

1867. Nov. Treaty of cession with Denmark.

1868 Treaty lost in the Senate.

## V. **French intervention in Mexico:** *Dana's Wheaton*, § 76, notes.

### A. PURPOSES.

1862. 1. Ostensible: claims and protection to residents.

1862. 2. Real: to check the influence of the U. S.: *Napoleon's letter in Am. Ann. Cycl.*, 1863, p. 636.

3. Warning of the U. S.: *Am. Ann. Cycl.*, 1863, pp. 387, 584.

### B. THE INVASION.

1862. Apr. 9. England and Spain withdraw.

Empire proclaimed by an assembly of notables.

Maximilian supported as emperor by French arms.

1863. Sept. U. S. protests against a government imposed on Mexico: *Am. Ann. Cycl.*, 1873, pp. 354, 644.

1864. Apr. 4. House resolution against the monarchy: *Cong. Globe*, 38th Cong., 1st ses., Part II., p. 1408.

### C. THE UNITED STATES INTERVENES.

1865. Seward's declarations on European interference.

Dec. 16. Seward's hint that Mexico must be evacuated.

1866. France promises to withdraw, if the U. S. will stand neutral: *Am. Ann. Cycl.*, 1867, p. 500.

1867. June 19. Empire collapses after the French withdraw.

## VI. **Dominion of Canada.**

1842. Settlement of Maine boundary controversy. *See Lect.*

1846. Settlement of Oregon boundary. *See Lect.*

1866. Formation of a Colonial federation.

1867. Mar. 27. \* House resolution against monarchical government: *Cong. Globe*, 1867, p. 392.



VII.\* **Nicaragua question:** *Nation*, xxx. 90; xxxiii. 348; xxxiv. 92, 496.

A. CANAL PROJECT REVIVED.

1878. Lesseps' scheme for a French canal: *Map*.  
Bonaparte-Wyse concession by Colombia.

B. DISCUSSION IN CONGRESS.

1879. June 25. Burnside resolutions: *Cong. Record*, ix. 2312.  
Dec. 31. President Hayes' suggestion: *Message and Docs.*, 1879-80, p. 15.

1880. Mar. 8. President Hayes' messages: *Cong. Record*, x. 1399.  
Dec. Crapo report and resolutions: *Am. Ann. Cycl.*, 1881, p. 717.

C. CORRESPONDENCE ON THE CLAYTON-BULWER TREATY.

1881. June 24. Blaine's circular despatch against European guaranty: *Message and Docs.*, State, 1881-82, pp. 537-40; *Nation*, xxxiii. 48, xxxiv. 352, xxxv. 481.

Nov. 10. Granville's hint that the treaty exists: *Message and Docs.*, 549.

19. Blaine asks for a modification of the treaty: *Message and Docs.*, 554-59.

29. Blaine's historical argument: *Message and Docs.*, 563-69.

1882. Jan. 14. Granville's historical argument: *Am. Ann. Cycl.*, 1881, pp. 721-22.

Agitation in the Colombian congress: *Nation*, xxxiv. 259.

D. NICARAGUA TREATY.

1884. Dec. 1. Treaty of construction and guaranty of a canal.  
*N. Y. Times*, Dec. 19, 1884.

1885. Senate does not ratify.

E. PENDING QUESTIONS.

1. Is the Clayton-Bulwer treaty a law?
2. Is the canal necessary to the United States?
3. Is it expedient for the Government to own it?



VII. **Peruvian-Chilian question:** *Nation*, xxxiii. 390; xxxiv. 364.

A. THE WAR.

B. INTERFERENCE OF THE UNITED STATES MINISTER.

1880. June 15. Hurlbut's instructions: *Am. Ann. Cycl*, 1881, p. 740.

Oct. Attempt at mediation fails.

1881. Sept. Hurlbut's memorandum on the disapprobation of United States.

Oct. 31. Recognition of Calderon: *Nation*, xxxiv. 77; *Mess. and Docs.*, 945.

Nov. 22. Blaine's rebuke: *Mess. and Docs*, 742

C. SUGGESTION OF A PEACE CONGRESS.

1882. Blaine's proposal: *Nation*, xxxiv. 114.

Frelinghuysen's declaration: *Nation*, xxxiv., 88.

XLIII. FORMATION OF NEW PARTIES (1820-1825.)

I. **General causes.**

1. Opposition of interests.
2. Personal rivalries.
3. Influence of the masses.
4. Desire for "spoils."

II.\* **The tariff:** *Von Holst*, I. 396-400.

A. TARIFF OF 1816, AND ITS EFFECT: *Lect.*; *Sumner's Jackson*, 75-76.

B. TARIFF AGITATION OF 1820-23.

1820. Aug. 27. Convention of "Friends of National Industry:" *Bishop*, 257-58.

Apr. House protection bill lost in Senate.

1822. Jan. 9. Baldwin's bill.

1822. Dec. 21. Monroe's recommendation: *S. M.*, I. 448.

1823. Jan. 9. Tod's bill: *Bishop*, II. 273.

C. TARIFF OF 1824.

I. The act: *Sumner's Jackson*, 76.

1823. Dec. 2. Monroe's recommendation: *S. M.*, II. 58.





1824. Apr. 16. Bill passes the House.

Bill passes the Senate.

May 22. Provisions of the act.

2. Political discussion: *Benton's View*, I. 32-34.

Attitude of the Middle and Western States.

Clay on the "American system": *Deb.*, VII. 709, 711.

Attitude of New England.

\*Webster on the promotion of commerce: *Deb.*, VII. 712;

*Webster*, III. 94; *Lodge's Webster*, 156-65.

Jackson's position: *Sumner's Jackson*, 76.

3.\* Constitutional discussion: *Von Holst*, I. 400-04.

Power of taxation.

Power of regulating commerce.

4. Threats of resistance.

1824. Apr. 15. Randolph's speech: *Deb.*, VIII. 71.

Protests of States.

Effect: *See Lect.*

III.\* **Election of 1824:** *Stanwood*, 79-90; *Sumner's Jackson*, 73.

A.\* CANDIDATES: *Morse's Adams*, 153-96; *Sumner's Jackson*, 77-88.

1. JACKSON.

1823-24. Elected to the U. S. Senate.

1822. July 20. Nominated by Tennessee Legislature.

2. JOHN QUINCY ADAMS.

1822. Nominated by eastern legislatures.

3. CLAY.

1824. Nov. 18. Nominated by Kentucky legislature.

4. CALHOUN.

Withdraws to stand for the vice-presidency.

5. CLINTON, LOWNDES, etc.

6 CRAWFORD.

Use of Treasury patronage.

1824. Feb. 14. Receives caucus nomination with Gallatin.

B. THE CAMPAIGN: *Sumner*, 86-90.

Unpopularity of the caucus.

Attitude of the Albany Regency.

Jackson's popularity in Pennsylvania.

Withdrawal of Gallatin.

Influence of the tariff question.



C. THE VOTE: *Map*.Electoral: *Map*; *Stanwood*, 93.\*Popular: *Stanwood*, 87–88.IV. **Election of 1825:** *Morse's Adams*, 169–77; *Benton*, I. 46–50.A. ELECTION IN THE HOUSE: *Stanwood*, 90–96.

Intrigues and proposed bargains.

1825. Jan. 8. Clay declares for Adams.

Feb. 9. Adams elected: *Map*.B. CHARGE OF "CORRUPT BARGAIN" with Clay: *Sumner's Jackson*, 90–96.

## 1. The controversy.

Jackson's acceptance of the result.

1825. Jan. 28. The Kremer letter: *Stanwood*, 91.1827. Mar. Jackson's charge: Buchanan's testimony.  
J. Q. Adams' testimony.

## 2. Effect.

Would such a bargain have been "corrupt"?

Effect on Adams. — On Clay.

C.\* CHARGE OF IGNORING "THE WILL OF THE PEOPLE:" *Von Holst*, II. 7–10; *Sumner's Jackson*, 98–99.\*Benton's "demos Krateo" principle: *Benton* I. 46–49.

Effect of the limitations of the Constitution.

The will of the people — how expressed.

## XLIV. DIFFICULTIES OF ADAMS' ADMINISTRATION.

(1825–1829.)

I. **Adams' policy.**

## A. CABINET.

## B. FOREIGN POLICY.

1826. South American: *Lect.* XLII.

Commercial treaties.

C.\* DOMESTIC POLICY: *Sumner's Jackson*, 108–11.

Recommendations to Congress.

Internal improvements.

Military expenditures.

Powers of legislation.

Patronage.



II.\* **Organized opposition:** *Sumner's Jackson*, 100-114; *Morse's F. Q. Adams*, 189-204.

1. ON THE ELECTION CONTROVERSY: *Sumner's Jackson*, 100-03.

Effect of the charges of corruption and fraud.  
Active Jackson movement.

1826. Mar. 1. 2. CONSTITUTIONAL AMENDMENT FOR PRESIDENTIAL ELECTION: *Benton*, I. 37, 78-80.

1826. 3. PANAMA MISSION: *Cf. Lect.*, XLII.

4. PATRONAGE.

Mar. 1. Benton's amendment against appointment of members of Congress.

1826. May 4. Report of the Special Committee: *Congressional Register, App.*, 133-38.

The six bills.

5. EXPENDITURES.

1828. Jan. 22. Chilton's resolution: *Deb.*, IX. 668, 675.

III.\* **First Creek controversy:** *Von Holst*, I. 435-43.

A. EARLY DIFFICULTIES WITH GEORGIA.

1788-90. Georgian encroachments: *Wash.*, XII. 86, 89.

1794-95. Georgia acts appropriating Creek lands.

1802. Georgia cession with proviso: *Von Holst*, I. 309, 323 *u.*, 433.

Jefferson's plan for removing Indians.

B. NEGOTIATIONS WITH THE CREEKS: *Von Holst*, I. 433-35.

1819. Georgia memorial.

1821. Mar. 21. First treaty of Indian Springs.

1824. Creeks refuse to sell.

1825. Feb. 21. Second (fraudulent) treaty of Indian Springs.

Mar. Georgia negotiates a survey.

Apr. 30. Consenting chiefs killed by their brethren.

IV.\* **Controversy about the survey:** *Von Holst*, I. 435-43; *Sumner's Jackson*, 176-78; *Benton*, I. 58-60.

A. SURVEY FORBIDDEN.

1825. May 18. United States Government forbids the survey.

23. Troup's "stand to your arms" message: *Reg.*, XXVIII. 317.

June 2. Troup persists in the survey: *Reg.*, XXVIII. 318.

6. Report on "confederation": *Reg.*, XXVIII. 271-72.

June-July. Troup-Gaines correspondence.





## B. SURVEY PREVENTED.

- July 21. Order to prevent survey by force: *Reg.*, xxvii. 412.
- Aug. 31. Troup's "responsible to Georgia" letter: *Reg.*, xxix.
- Nov. 8. Troup's incendiary message: *Reg.*, xxix. 201-08.
1826. Jan. 24. Treaty of Washington: *Adams' Mem.*, vii. 76, 79, 89, 196, 109.

V.\* **Second Creek controversy:** *Von Holst*, i. 444-48.

## A. ACTION OF THE GOVERNMENT.

1827. Jan. 15. Indians prevent the survey by force.
27. Cabinet discussion on using force: *Adams' Mem.*, vii. 220.
29. Civil officers called on: *Reg.*, xxxi. 372.
- Feb. 3. Adams' special message: *S. M.*, ii. 642.
- Indifference of Congress.

## B. ARMED RESISTANCE BY GEORGIA.

1827. Feb. 17. Troup calls out the militia: *Reg.*, xxxii. 16, 20.
17. Troup's defiant letter to Barbour: *Reg.*, xxxii. 16.
21. Troup denies the authority of the Supreme Court: *Reg.*, xxxii. 20.

C. THE UNITED STATES GIVES WAY: *Von Holst*, i. 446.

1827. Mar. 1. Benton's report for negotiation: *Reg.*, xxxii. 24.
3. Everett's report and debate: *Cong. Deb.*, iv. 1533-41.
- June. Decision by the U. S. District Court: *Adams' Mem.*, vii. 294.
- Nov. 15. Treaty for final cession.
1829. Mar. 3. Jackson's "talk" with the Creeks: *Tucker's U. S.*, iv. 22.

VI. **Re-grouping of parties.**

## A. NATIONAL REPUBLICANS (WHIGS).

## B. DEMOCRATS.

## C. ANTI-MASONS.

1828. Mar. Murder of Morgan. Anti-Masonic Convention.

## XLV: REVIEW OF THE FIRST HALF YEAR (1765-1828).



1754

H 291 79





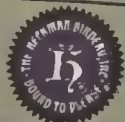


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